05-1913-CD

2005-1913-CD
Folder 2

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF PENNSYLVANIA
-vs-
ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

NO. 05-1913-CD

COMPLAINT ACTION
TO QUIET TITLE & ORDER

FILED
0/3:13 cm
SEP 05 2006

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER, ON ROBERT RINEHART and ALICE RINEHART, his wife DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ELIZABETH MCDONALD and LIONEL MCDONALD, her husband DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON, THOMAS BUMBARGER and IONA BUMBARGER, his wife DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF GEORGE HECK, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON GRACE HECK, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF LEROY HUBLER and MELINDA HUBLER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF OLIVER MCGRAW, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF HARRY L. FORCEY aka H.L. FORCEY, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON ANY AND ALL UNKNOWN HEIRS OF JOHN A. REDDING, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: NEVLING

NOW JUNE 15, 2006 AT 9:45 AM POSTED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON THE WHOLE WORLD, DEFENDANT AT RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA. SERVED BY: NEVLING

NOW JUNE 12, 2006 FRANKLIN COUNTY SHERIFF WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON JOHN A. REDDING, JR., DEFENDANT.

NOW JUNE 21, 2006 SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE & ORDER ON JOHN A. REDDING JR., DEFENDANT BY DEPUTIZING THE SHERIFF OF FRANKLIN COUNTY. THE RETURN OF THE FRANKLIN COUNTY SHERIFF IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

SHFF. HAWKINS: $132.79
SURCHARGE: $190.00
FRANKLIN CO.: $ 23.00
PAID BY: cash

So Answers,

by Marilyn Hepp

CHESTER A. HAWKINS
SHERIFF

SWORN TO BEFORE ME THIS
_____DAY OF _____2006

_____

SHERIFF'S RETURN - REGULAR

CASE NO: 2006-00153 T

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF FRANKLIN

NATIONAL CITY BANK OF PA

VS

ANY & ALL UNKNOWN HEIRS OF BES

WILLIAM D MCCOY, Deputy Sheriff of FRANKLIN County, Pennsylvania, who being duly sworn according to law, says, the within COMPLAINT QUIET TITLE was served upon REDDING JOHN A JR the DEFENDANT, at 0840:00 Hour, on the 21st day of June, 2006 at FRANKLIN COUNTY SHERIFF'S OFFI 157 LINCOLN WAY EAST CHAMBERSBURG, PA 17201 by handing to JOHN A REDDING JR a true and attested copy of COMPLAINT QUIET TITLE together with

and at the same time directing His attention to the contents thereof.

Sheriff's Costs:	
Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So Answers:

WILLIAM D MCCOY

By _____
Deputy Sheriff

08/21/2006
BERNSTEIN LAW FIRM PC

Sworn and Subscribed to before me this 21 day of August, 2006 A.D.
&00

_____
Notary

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated ~~/Reissued~~ to Sheriff ~~/Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

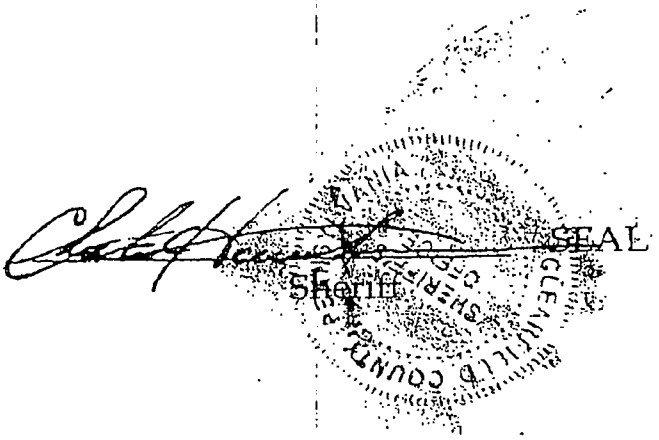
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires:
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station: View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

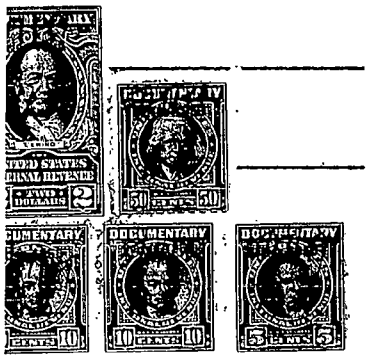
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed. 404-4

And the said grantors do hereby covenant and agree to and with the said grantee s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

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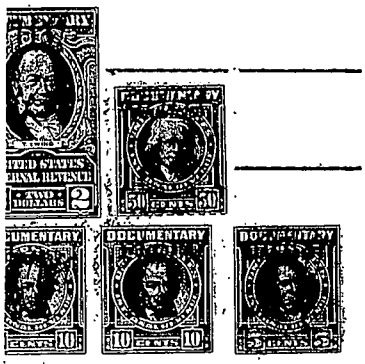
IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Moorsdale Pa
Kent J. Dillenbeck
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
Notary Public for Oregon
My Commission Expires 3/26/52 (SEAL)

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

ATE OF OREGON :
: SS:
UNTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittaw the undersigned officer, personally, peared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittaw (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. E. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Christon whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. E. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Lira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2080—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this ..... 19th ..... day of July 1949.

T. Bradley Silcott, Clerk.

Entered of Record May 21 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perne (SEAL)
Isabel Perne (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perne and Isabel Perne, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commision expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

W. W. Hancock
/Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:15A. M.

Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
EDWARD BUMBARGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumbarger and Harvey Bumbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 288.

Excepting and reserving all oil, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenton & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 43, did purchase all that certain parcel of seated lands, situate in the Town-ship of Bogus County and State aforesaid, containing 15 A 70 A and sold as the property of Enoch McLaren Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee , and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee , and to the ir heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B Engd (Off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 16 A. D. 1943 11:12 A.M.

Recorded by Geo. N. Hoyt Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

No. 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

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

BY THE COURT:
/s/ Fredric J. Ammerman
_____ J.

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1 CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	CLEARFIELD CO SHERIFF

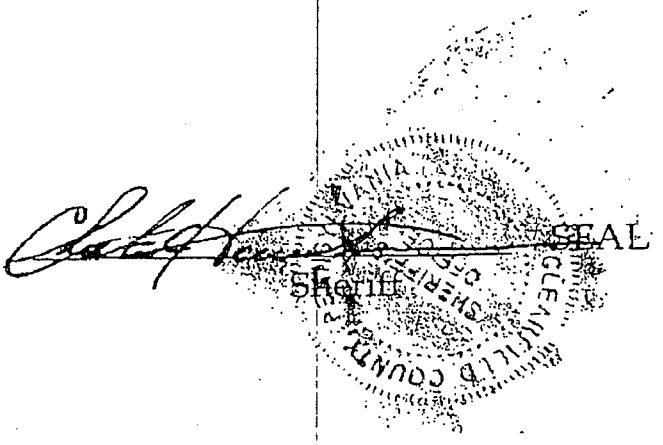
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Ailport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

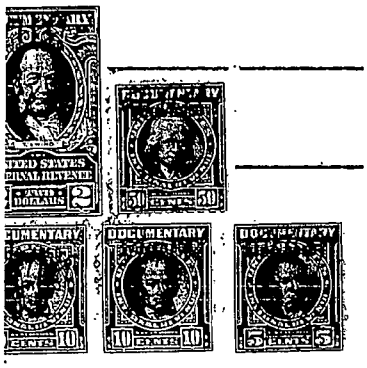
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantees , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

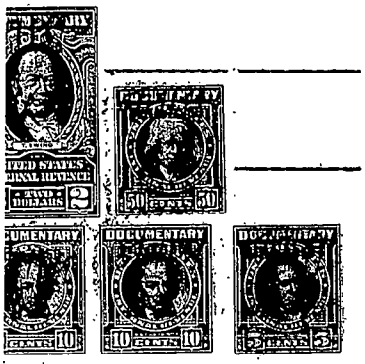
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa
Kent F. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wynnegar
Notary Public for Oregon (SEAL)
My Commission Expires 3/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as ; I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruiknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn.

I, R. E. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Christon whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. E. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott, Clerk.

Entered of Record May 11 1950, 11-50 a.m. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen m.d.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six
BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Ferns (SEAL)
Isabel Ferns (SEAL)

Sealed and delivered in the presence of
E. R. Hancock Justice of the Peace
STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. R. Hancock the undersigned officer, personally appeared Edwin Ferns and Isabel Ferns, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. R. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. R. Hancock
/Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED)
JOHN REDDING ET AL)
TO)
EDWARD BUMBERGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumberger and Harvey Bumberger, of the Township of Boggs, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Boggs, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarnon Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly by law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1942 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 488.

Excepting and reserving all oil, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)SS.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Penta & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 43, did purchase all that certain parcel of seated lands, situate in the Township of Bogs County and State aforesaid, containing 15 & 70 A and sold as the property of Enoch McLarren Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such case made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogs Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 16 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Hagerty Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

12-12-05 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H: Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

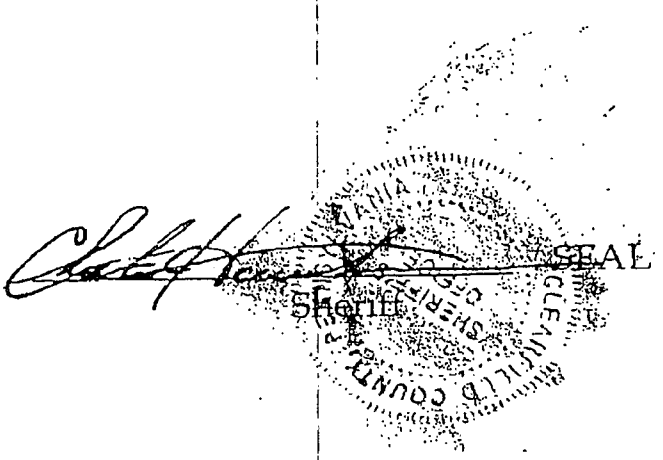
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station: View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

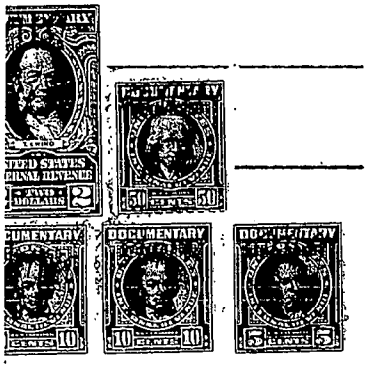
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

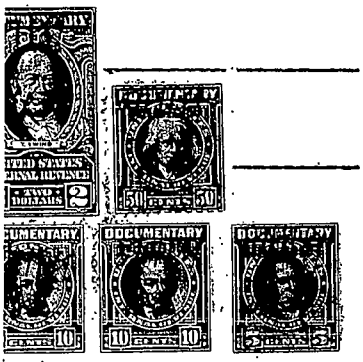
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa
Kent & Gilbert
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
Notary Public for Oregon (SEAL)
My Commission expires 3/26/52

-7-

CERTIFICATE

N, } ss.
n. }

Russell, County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisiorized by law to take the same; and full faith and credit are due to all his official acts as ; I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruiknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 12-12-51

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. E. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. E. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
:SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2080—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott, Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six
BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Ferns (SEAL)
Isabel Ferns (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Ferns and Isabel Ferns, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees hereinas follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:15A. M.

Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
EDWARD BUMBARGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumbarger and Harvey Bumbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 280.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)SS.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fleitz & Silberblatt
Attorneys for Grantees

Entered of record Feb 14 1944, 10-30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

We, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 15 A 70 A and sold as the property of Enoch McLaurin Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such case made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P., the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Hoyt M.M.D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

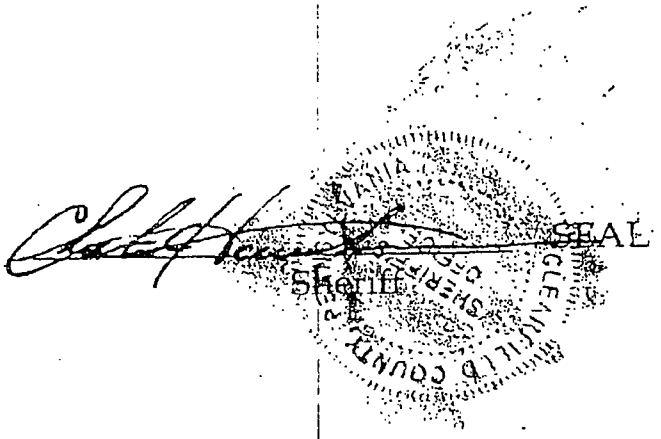
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station, View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

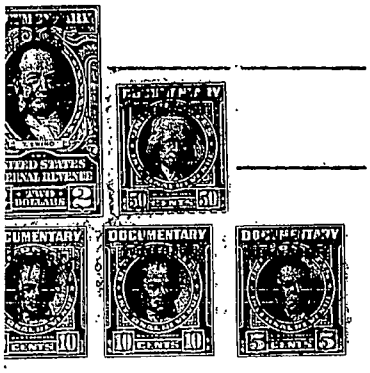
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantee s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

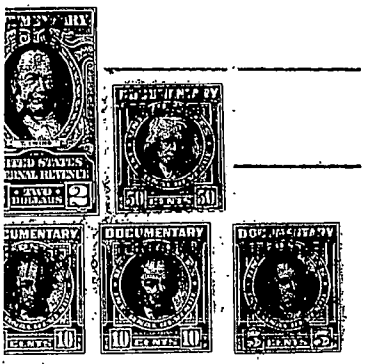
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Mercersdale, Pa.
Kent J. Silberblatt
Attys. for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
Notary Public for Oregon
My Commission Expires 3/26/52 (SEAL)

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-2-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2900—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradley Silcott Clerk.

Entered of Record May 11 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.P.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perma (SEAL)
Isabel Perma (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
SS
COUNTY OF CENTRE

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perma and Isabel Perma, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commision expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
/Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:15A. M.

Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN REDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
EDWARD BUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Hardy, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Hardy, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumberger and Harvey Bumberger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly by law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 288.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)SS.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named Grantees is Morrisdale, R.D.

Feb 14 1944

Fenton & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944. 10-30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

Mr. W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 13 A. 70 A. and sold as the property of Enoch McLarren Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $ 200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Corp. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August 1943, before me Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Corp. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. N. Graham M. D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946; and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

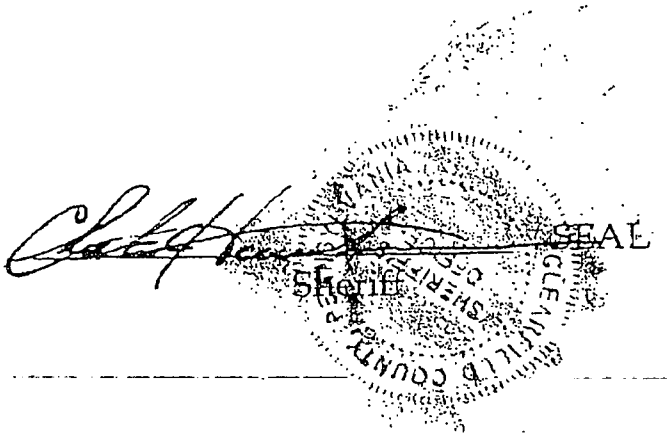
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

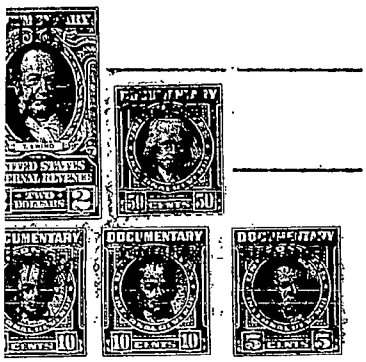
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

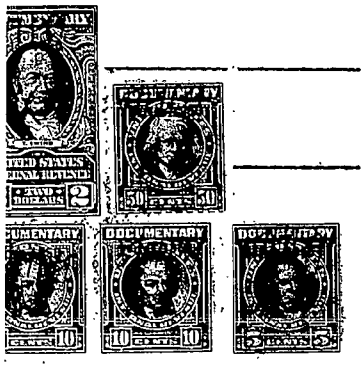
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale, Pa.
Kent J. Gilbert
Attys. for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wynnegar
~~Notary Public for Oregon~~ (SEAL)
Notary Public for Oregon
My Commission Expires 7/26/52

-7-

CERTIFICATE

N, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-2-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, IRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of propcsed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M.
Recorded and Compared by Weir W. Mullen m.d.

Recorder.

DEED) THIS DEED, Made the 20 day of May in the year Nineteen Hundred and
STEVE KITCKO AL) forty-six
TO) BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield
MIKE BALLOCK AL) County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Ferns (SEAL)
Isabel Ferns (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
ss
COUNTY OF CENTRE

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Ferns and Isabel Ferns, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:15A. M.

Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
EDWARD BUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumberger and Harvey Bumberger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees.

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McCracken Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1942 and which is recorded in the office of the Prothonotary of the said County in Deeds #136, Page 488.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, unimpeded and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fentz & Silberblatt
Attorneys for Grantees

Entered of Record Feb 14 1944. 10-30 A M
Recorded and Compared by

Recorder, M.P.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Town- ship of Bogus County and State aforesaid, containing 75 & 70 A and sold as the property of Enoch McLaurin Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Reay for the sum of $200.00 lawful money of the United States, Reay being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Reay, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Reay and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such case made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to his/her heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (off. seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 18 A. D. 19 43. Recorded by Geo. M. Hoyle Recorder
11:12 A.M.

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1 CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

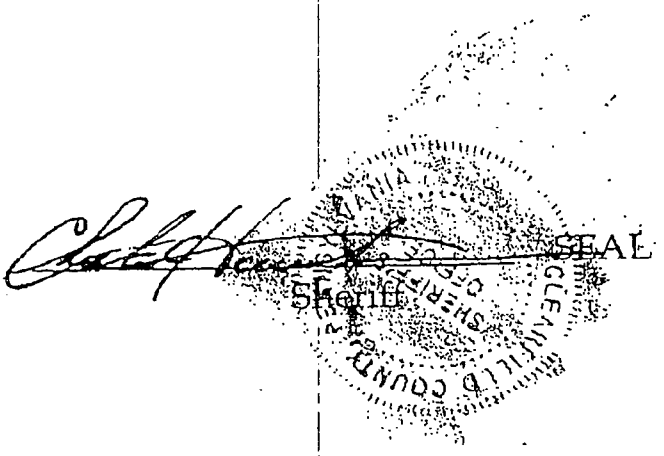
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station: View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

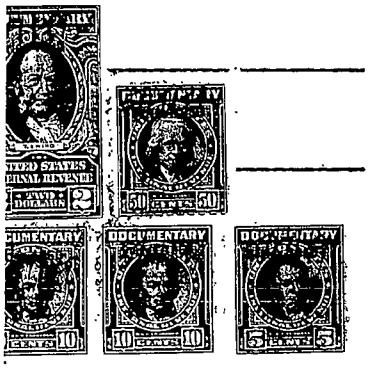
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantee s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

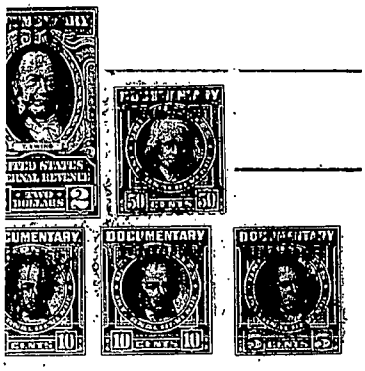
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa
Kent F. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wynnegar
Notary Public for Oregon
(SEAL)
My Commission Expires 2-26-52

-7-

CERTIFICATE

N, } ss.
n.

Russell, County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 12-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott, Clerk.

Entered of Record May 21 1950, 11-50 a.m. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of: Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of D.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen
M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace
STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein is as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Attorney for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by
Recorder

DEED)
JOHN REDDING ET AL)
TO)
EDWARD BUMBARGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Hardy, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Hardy, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumbarger and Harvey Bumbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly on law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1942 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 286.

Excepting and reserving all, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, drill, pump and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)SS.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer

My commission expires first Monday in January 1944

U.S.revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenta & Silberblatt
Attorneys for Grantees

Entered of record Feb 14 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

We, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Town-ship of Bogus County and State aforesaid, containing 15 A. & 70 A. and sold as the property of Enoch McLaren, Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1948, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Bray for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $200.00 in hand paid by the said John A. Redding and Theodore Bray, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Bray and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August 1943, before me, Chas. S. Strong J. P., the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 16 A. D. 1943 11:12 A.M.

Recorded by Wm. M. Ryan Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

12-12-05 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

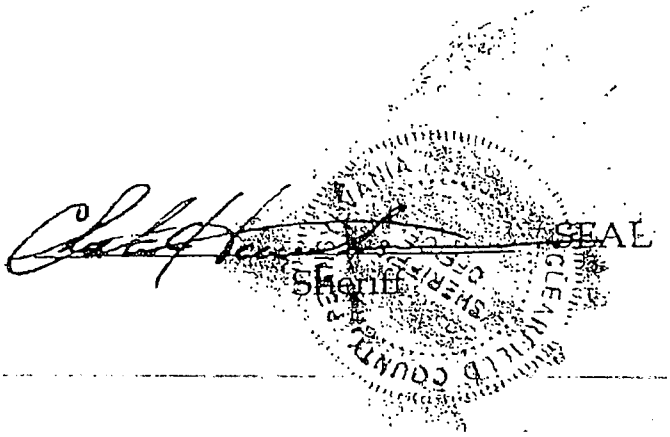
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

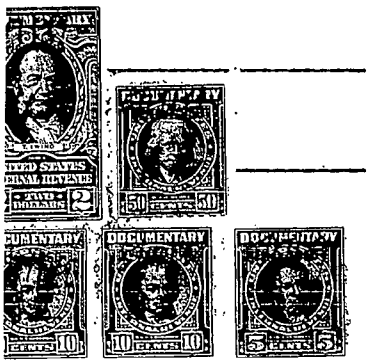
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed. 484-4

And the said grantors do hereby covenant and agree to and with the said grantees, that they, the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantees, their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

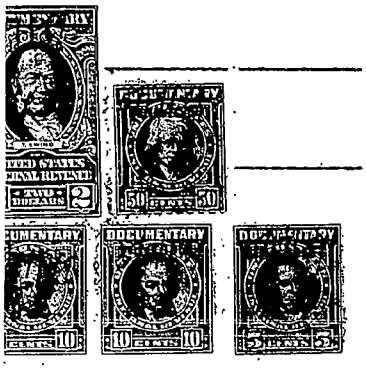
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantees , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantees , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

LeRoy Hubler (SEAL)
LeRoy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa.
Ferd J. Hilbert
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

NOTARY PUBLIC STATE OF OREGON

Gloria Wyninegar
Notary Public for Oregon (SEAL)
My Commission Expires 7/26/52

-7-

CERTIFICATE

V, } ss.
n. }

ussell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

STATE OF OREGON

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
NTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Margaret Chittaw the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittaw (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, }
County of Linn. } ss.

I, R. L. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. L. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Lira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Leonore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Leonore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Leonore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P.M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Ferns (SEAL)
Isabel Ferns (SEAL)

Sealed and delivered in the presence of
E. F. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. F. Hancock the undersigned officer, personally appeared Edwin Ferns and Isabel Ferns, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. F. Hancock (OFF SEAL)
My Commission expires.
My Commision expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. F. Hancock
Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:15A. M.

Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
EDWARD BUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Hardy, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Hardy, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumberger and Harvey Bumberger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees.

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

21354

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1942 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 488.

Excepting and reserving all, gas and also rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 15 1944

Penta & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352/

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

Mr. W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogs County and State aforesaid, containing 15 A. 70 A and sold as the property of Enoch McLaurna Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $ 200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogs Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee , and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee , and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B Rapp (Off. Seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P., the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. Seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 16 A. D. 1943. 11:12 A.M.

Recorded by Geo. N. Graham Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman
_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

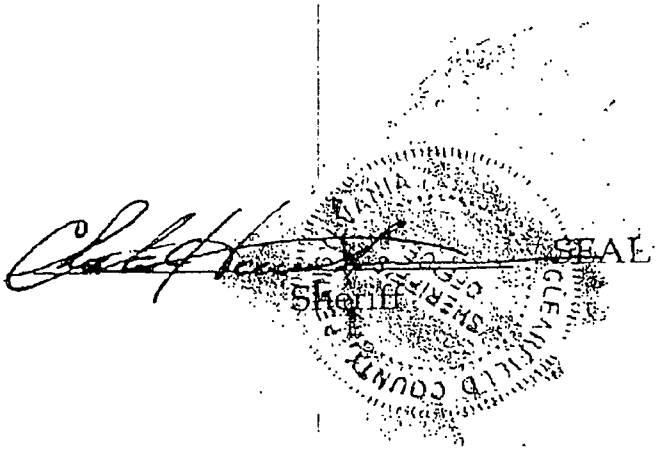
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station: View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

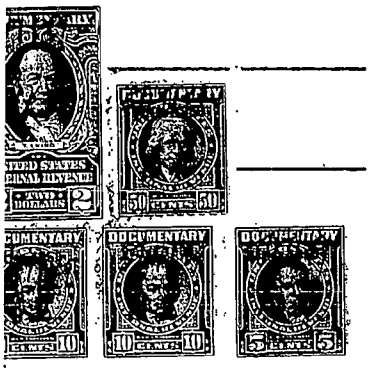
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

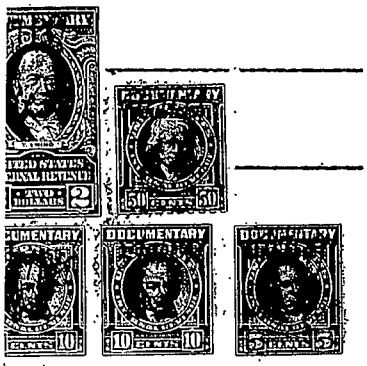
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Mossyrdale Pa
Kent J. Dilsheimer
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public
My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Gloria Wynnegar
Notary Public for Oregon
My Commission Expires 3/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Book 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell

County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
:SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 464 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Leone K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Leone K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Leone K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott Clerk.

Entered of Record May 21 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness thereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED)
JOHN REDDING ET AL)
TO)
EDWARD BUMBARGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumbarger and Harvey Bumbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly by law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 6th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 288.

Excepting and reserving all, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer

My commission expires first Monday in January 1944

U.S.revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenton & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

We, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Town-ship of Boggs County and State aforesaid, containing 75 A 70 A and sold as the property of Enoch McLaren Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $ 200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such case made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Boggs Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. Seal) Chief Clerk

W. V. Carr
Ira Jay
J. O. Kessler
County Commissioners

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. Seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 16 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Hoyt M. D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman
_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

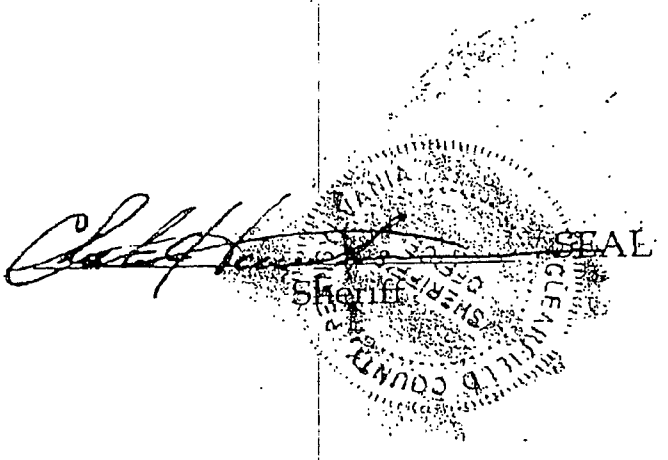
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station: View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

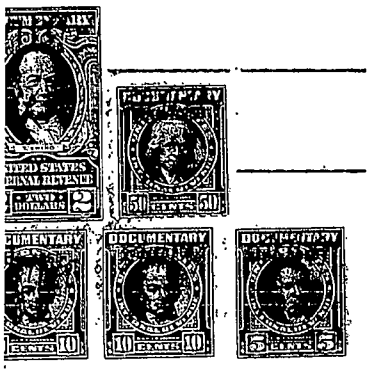
The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

404-4

And the said grantors do hereby covenant and agree to and with the said grantee s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

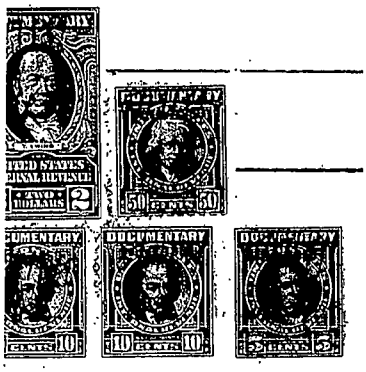
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa
Kent F. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wynnegar
Notary Public for Oregon (SEAL)
My Commission Expires 7/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
NTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Margaret Christian the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Christian (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, }
County of Linn. } ss.

I, R. K. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. K. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, Ira Cargill the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott Clerk.

Entered of Record Mar 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen
M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perma (SEAL)
Isabel Perma (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perma and Isabel Perma, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
HOWARD BUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumbergers and Harvey Bumbergers of the Township of Rogers, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Rogers, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1942 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 286.

Excepting and reserving all gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Maney (seal)
Ethel Maney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Maney, & Ethel Maney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenix & Silberblatt
Attorneys for Grantees

Entered of Record Feb 14 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS DEED, Made the 23rd day of August in the year of our Lord one thousand nine hundred and forty-three (1943)

BETWEEN W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 43, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 75 A. 70 A. and sold as the property of Enoch McLarren Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs and successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs and successors and assigns, to and for the only proper use and behoof of the said grantee and to their heirs and successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Swoope J. P., the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Swoope (off. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. N. Graham, M.D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman
_____ J.

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

MAY 10 2006

Attest:

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1cc
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

12-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

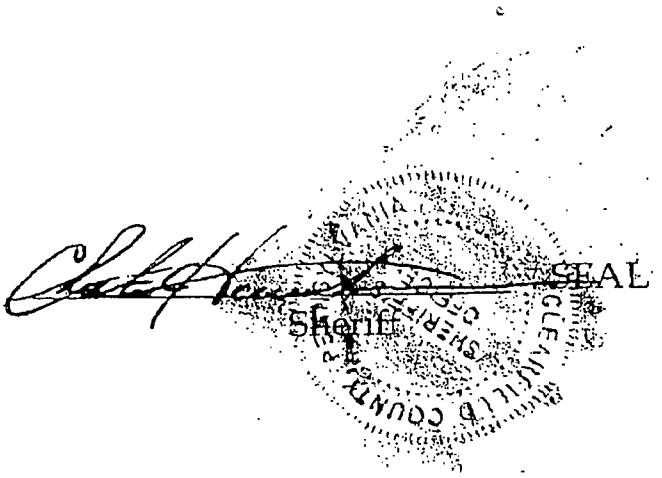
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

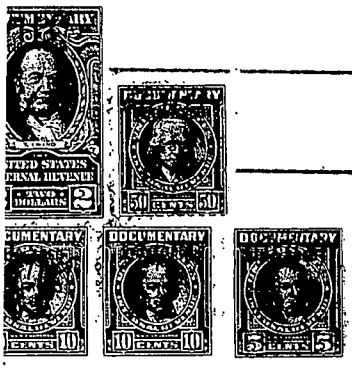
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed. 404-4

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

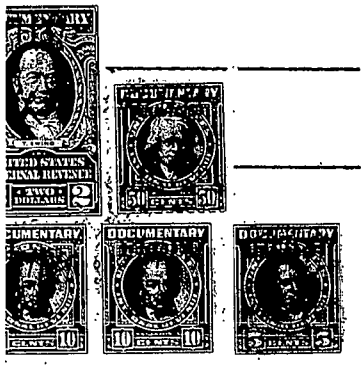
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantees s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

LeRoy Hubler (SEAL)
LeRoy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Moorsdale, Pa.
Kent & Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar (SEAL)
Notary Public for Oregon
My Commission Expires 2/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

.....Gloria Wyninegar.....

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

.....
County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
NTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Margaret Christian the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hersunto set my hand and icial seal.

Margaret Christian (SEAL)
Notary Public for Oreg.
My comm. expires 11-2-51

CERTIFICATE

Vol. 404 Page 485

STATE OF OREGON, } ss.
County of Linn. }

I, R. E. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

R. E. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradley Gilcott Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

506

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitoko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN REDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
HOWARD BUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumberger and Harvey Bumberger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly by law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 288.

Excepting and reserving, oil, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fentz & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944, 10:30 A M
Recorded and Compared by

Alice M. Mattern
Recorder

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

We, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Boggs County and State aforesaid, containing 75 & 70 A and sold as the property of Enoch McLaren Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Fahey for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Fahey, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Fahey and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Boggs Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal) Chief Clerk

W. V. Carr
Ira Jay
J. O. Kessler
County Commissioners

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (off. seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Bigler M.M.D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES -	$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

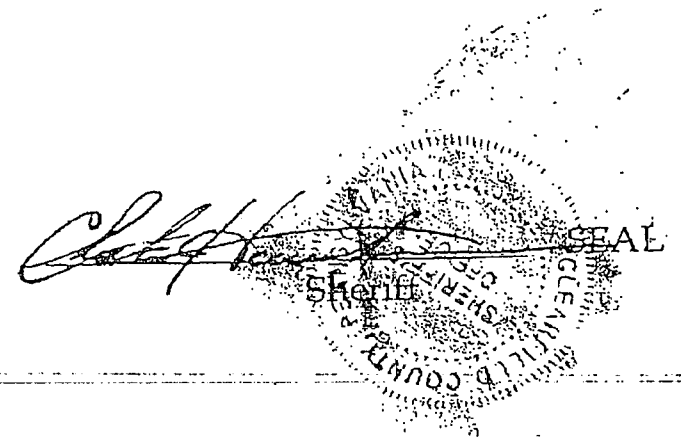
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

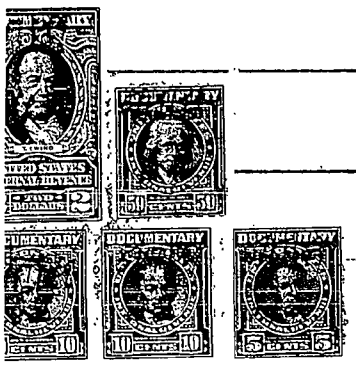
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeading Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

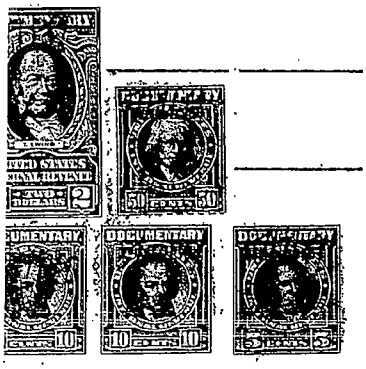
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Mercersburg Pa
Kent F. Gilbert Esq
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and BERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wynnegar
Notary Public for Oregon
My Commission Expires 7/26/52 (SEAL)

-7-

CERTIFICATE

V, }
n. } ss.

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisiorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Christian the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Christian (SEAL)
Notary Public for Oreg.
my comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton

whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell

County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
:SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Lira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Leonore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Leonore K. Volz (SEAL)
Notary Public

2060—1-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Leonore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this ..... day of July 1949.

T. Bradley Gilcott Clerk.

Entered of Record May 21 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65

Entered of Record May 20, 1946. 11/17 P M

Recorded and Compared by Weir W. Mullen M.D.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Ferns (SEAL)
Isabel Ferns (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Ferns and Isabel Ferns, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
HOWARD HUMBARGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Humbarger and Harvey Humbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees.

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 488.

Excepting and reserving all gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My Commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenton & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January, 1940, did purchase all that certain parcel of seated lands, situate in the Town- ship of Boggs County and State aforesaid, containing 11 A. 70 A. and sold as the property of Enoch McLaurey Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodora Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodora Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodora Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Boggs Township with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee , and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee , and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P., the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 1943. 11:12 A.M.

Recorded by Geo. M. Hagerty Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

No. 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

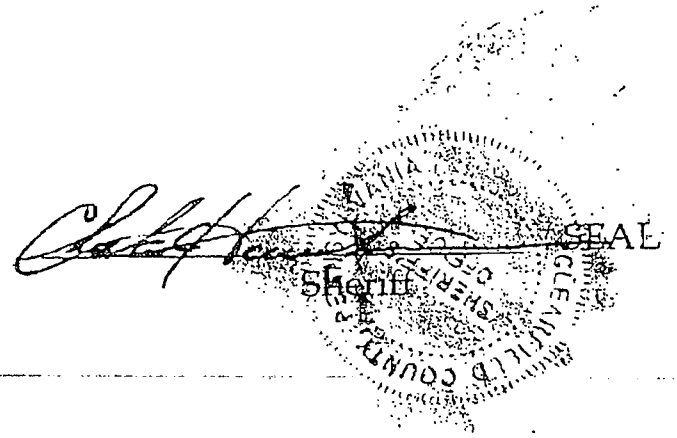
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

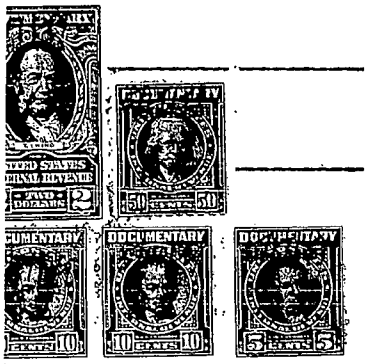
The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

404-4

And the said grantors do hereby covenant and agree to and with the said grantees , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantees , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

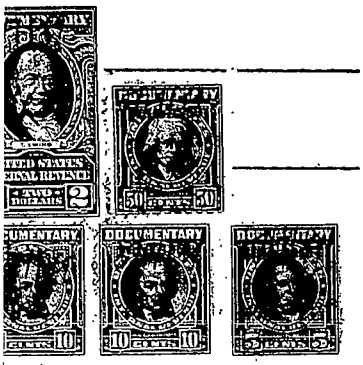
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale, Pa.
Kent & Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and BERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
Notary Public for Oregon
My Commission expires 7/26/52

(SEAL)

-7-

CERTIFICATE

N, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott Clerk.

Entered of Record May 11 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of D.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee

A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six
BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. R. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the 9th day of February 1944, before me E. R. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. R. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. R. Hancock
Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:45A. M.

Recorded and compared by

Recorder

DEED)
JOHN REDDING ET AL)
TO)
HOWARD BUMBERGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumbergers and Harvey Bumbergers of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees.

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did accordingly by law, on the 23rd day of April, 1945, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1945, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #138, Page 288.

Excepting and reserving all, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, shaft-sport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)SS.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenton & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944, 10-30 A M
Recorded and Compared by

Recorder

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

This, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Towns- hip of Bogs County and State aforesaid, containing 75 A 70 A and sold as the property of Enoch McLaurey Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Raney for the sum of $ 200.00 lawful money of the United States, Ray being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Raney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Raney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogs Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA }
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (off. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 18 A. D. 1943. 11:12 A.M.

Recorded by Geo. M. Bayle (M.M.D.) Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

No. 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

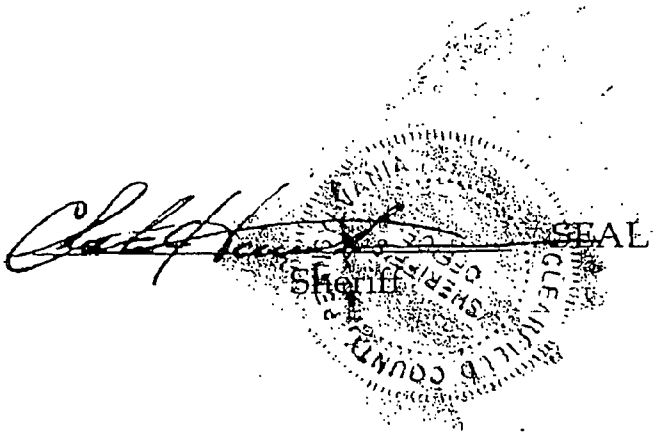
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

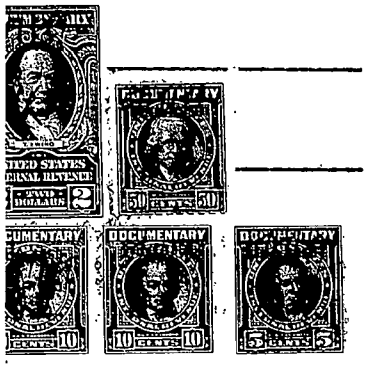
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed. 404-4

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

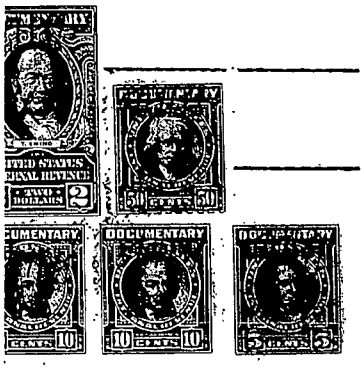
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Mossdale Pa
Terk & Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
~~Notary Public for Oregon~~ (SEAL)
Notary Public for Oregon
My Commission expires 2/26/52

-7-

CERTIFICATE

V, } ss.
n. }

ussell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as ; I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

.....
County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

CERTIFICATE

Vol. 464 Page 485

STATE OF OREGON, } ss.
County of Linn. }

I, R. E. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Christon whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

STATE OF OREGON

R. E. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—1-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Gilcott Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
m.g.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitoko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perne (SEAL)
Isabel Perne (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perne and Isabel Perne, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commision expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by
Recorder

DEED)
JOHN REDDING ET AL)
TO)
HOWARD BUMBERGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine Hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumbergar and Harvey Bumbergar, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 At the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 288.

Excepting and reserving, oil, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenton & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944, 10-30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

We, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 15 A. 70 A. and sold as the property of Enoch McLarren Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal)
Chief Clerk

W. V. Carr
Ira Jay
J. O. Kessler
County Commissioners

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August, 1943, before me Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (off. seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. N. Bell M. D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

No. 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

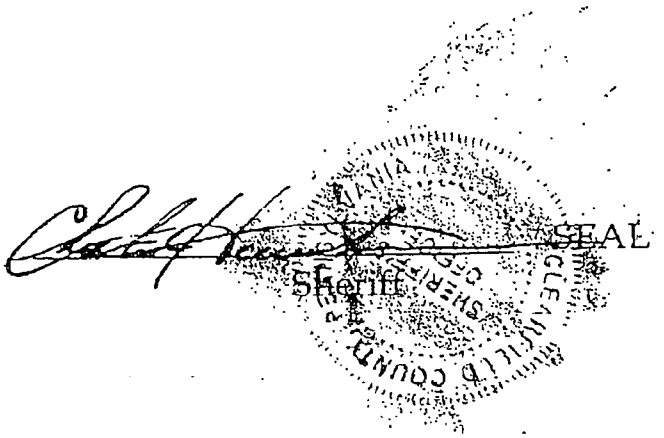
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

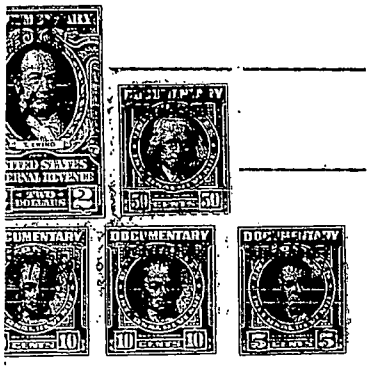
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed. 4044

And the said grantors do hereby covenant and agree to and with the said grantees, that they, the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantees, their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

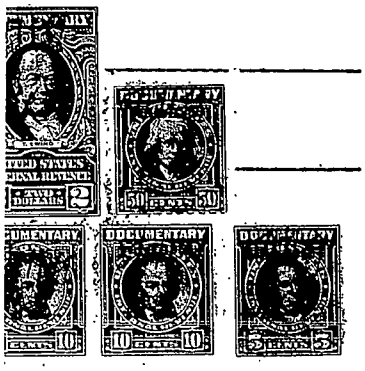
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantees s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Mcconnellsburg, Pa.
Kent & Dibert
Attys. for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
~~Notary Public for Oregon~~ (SEAL)
Notary Public for Oregon
My commission expires 2/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Christian the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Christian (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, }
County of Linn. } ss.

I, R. H. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. H. Russell

County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradley Gilcott Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.

A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.P.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen m.d.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by
Recorder

DEED) THIS DEED, Made the Firteenth day of November in the year
JOHN REDDING ET AL) of our lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
EDWARD BUMBARGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Edward Bumbarger and Harvey Bumbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees.

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the Grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 486.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenta & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944. 10:30 A M
Recorded and Compared by

Recorder

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 43, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 75 & 70 A and sold as the property of Enoch McLaurin Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B Rapp (Off. Seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. Seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 18 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Bayne M. M. D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

No. 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED; ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.
~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

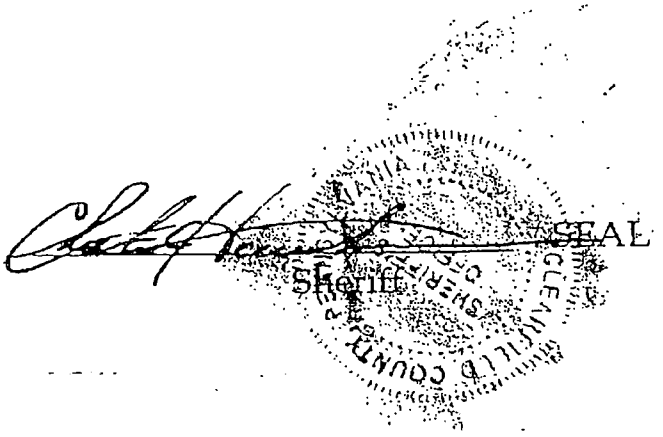
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

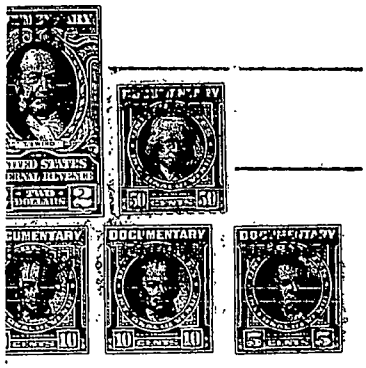
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantees , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

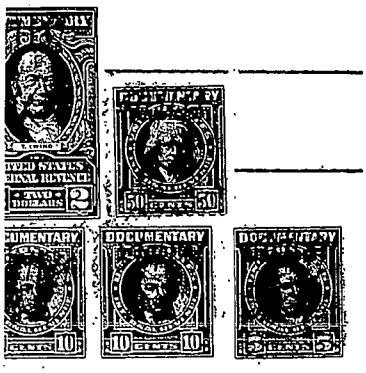
Mary Danner (SEAL)
Mary Danner

lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantees s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale, Pa.
Kent J. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and EERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public

My Commission expires Jan. 1, [illegible]

404-484

OUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar
~~Notary Public for Oregon~~ (SEAL)
Notary Public for Oregon
My Commission expires 2/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 464 Page 485

CERTIFICATE

STATE OF OREGON, }
County of Linn. } ss.

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell

County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradley Gilcott Clerk.

Entered of Record May 11 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Rubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Rubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen m.d.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Ferns (SEAL)
Isabel Ferns (SEAL)

Sealed and delivered in the presence of
E. R. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. R. Hancock the undersigned officer, personally appeared Edwin Ferns and Isabel Ferns, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. R. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees hereinas follows: Decatur Township, Clearfield County, Pennsylvania.

E. R. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1944 11:25A. M.

Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
EDWARD HUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Foward Humberger and Harvey Humberger, of the Township of Boggs, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Boggs, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 286.

Excepting and reserving all oil, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenta & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

This, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing TS. & 70 A and sold as the property of Enoch McLaurin Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Reay for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Reay, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Reay and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal) Chief Clerk

W. V. Carr
Ira Jay
J. O. Kessler
County Commissioners

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August, 1943, before me, Chas. S. Strong Jr. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (off. seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Hoyt M.D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman
_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

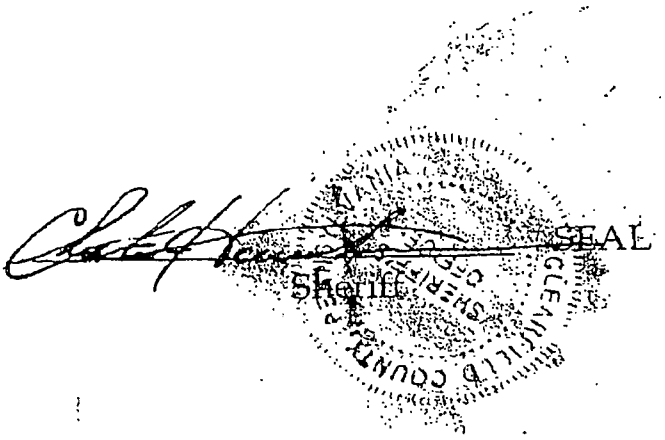
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

...and further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed; coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

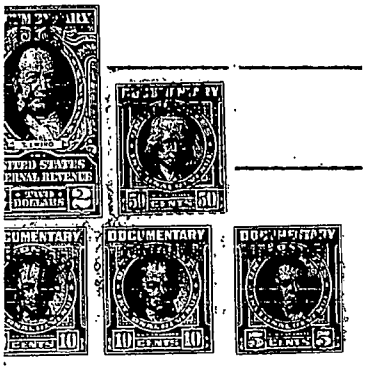
404-48

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantee s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

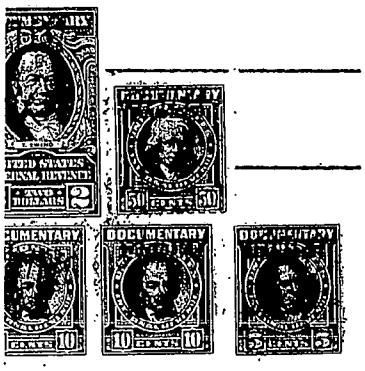
Mary Danner (SEAL)
Mary Danner

lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler

Leroy Hubler (SEAL)

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Clearfield, Pa.
Kent J. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and BERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires Jan. 1, [illegible]

OUNTY OF Linn: ss.

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wyninegar (SEAL)
Notary Public for Oregon
My Commission expires 7/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. 404 Page 485

CERTIFICATE

STATE OF OREGON, }
County of Linn. } ss.

I, R. H. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. H. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott Clerk.

Entered of Record May 21 1950, 11-50 am. Weir W. Mullen, Recorder.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered
in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee

A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen m.d.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perne (SEAL)
Isabel Perne (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace
STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1844, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perne and Isabel Perne, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1848

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

W. W. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10

Entered of record Feb 8, 1844 11:25A. M.

Recorded and compared by

Recorder

DEED)
JOHN REDDING ET AL)
TO)
THEODORE BUMBARGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Raney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Raney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumbarger and Harvey Bumbarger, of the Township of Boggs, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees.

ALL That certain tract or piece of land situated in the Township of Boggs, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McClarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 288.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of

L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Penta & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder.

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

THIS W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 75 & 70 A and sold as the property of Enoch McLaurno Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $ 200.00 lawful money of the United States, Jay being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs and successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances:

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. Seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. Seal) J. P.

My Commission Expires January 1st. 1948

Entered of Record Nov. 16 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Hoyle Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.
~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No: 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

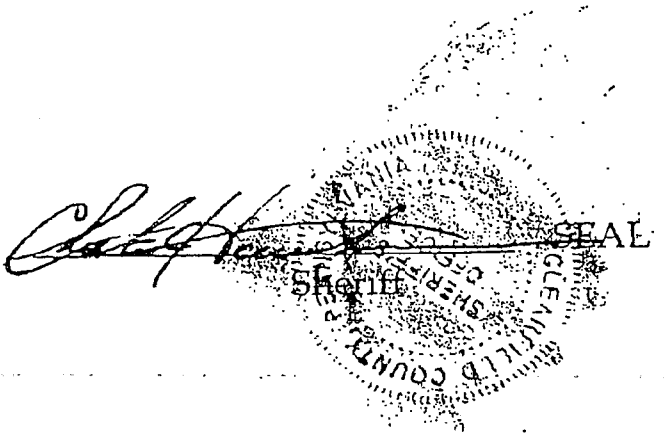
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

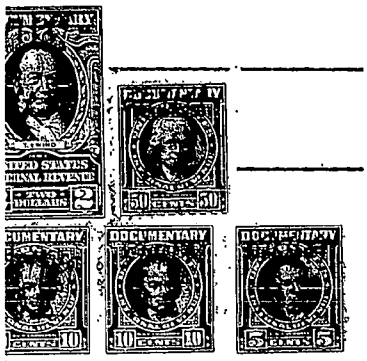
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantee s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4 Alice Rinehart (SEAL)
Alice Rinehart

5 Elizabeth McDonald (SEAL)
Elizabeth McDonald

6 Lionel McDonald (SEAL)
Lionel McDonald

7 Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

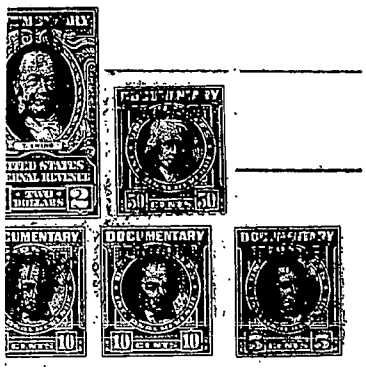
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantees , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantees , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



Bessie Lockey (SEAL)
Bessie Lockey

James Lockey (SEAL)
James Lockey

Robert Rinehart (SEAL)
Robert Rinehart

Alice Rinehart (SEAL)
Alice Rinehart

Elizabeth McDonald (SEAL)
Elizabeth McDonald

Lionel McDonald (SEAL)
Lionel McDonald

Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale, Pa.
Kent F. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and EERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMEARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public
My Commission expires Jan. 1, [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

GLORIA WYNINEGAR NOTARY PUBLIC STATE OF OREGON

Gloria Wyninegar (SEAL)
Notary Public for Oregon
My Commission Expires 2/26/52

-7-

CERTIFICATE

V, } ss.
n.

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wyninegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisiorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
NTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Vol. A 404 Page 485

CERTIFICATE

STATE OF OREGON, }
County of Linn. } ss.

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell

County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Ira Cargill (SEAL)
Justice of the Peace
My Commission Expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradley Gilcott Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 55' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee

A.R. Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six
BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commision expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by
Recorder

DEED)
JOHN REDDING ET AL)
TO)
HOWARD BUMBERGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumbergar and Harvey Bumbergar, of the Township of Bogus, county of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1943 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 488.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Penta & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1944, 10:30 A M
Recorded and Compared by

Recorder

DBV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

This Deed, Made the 23rd day of August in the year of our Lord one thousand nine hundred and forty-three (1943)

Between W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 75 A 70 A and sold as the property of Enoch McLaurin Est. there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such cases made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (off. seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA }
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (off. seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43. 11:12 A.M.

Recorded by Geo. M. Bayer M.D.J. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
1 CC
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated ~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

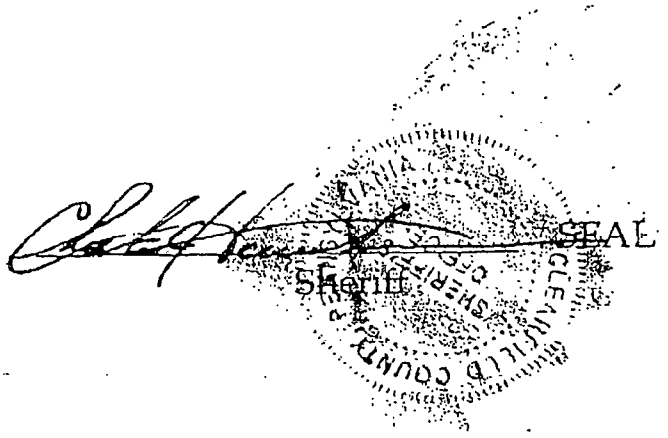
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station. View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst.# 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

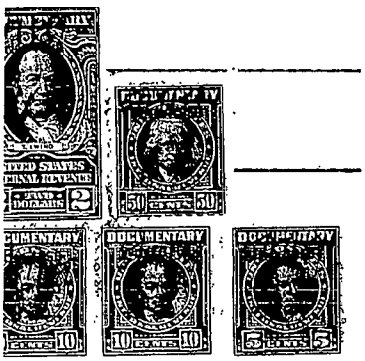
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees s , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee s , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4 Alice Rinehart (SEAL)
Alice Rinehart

5 Elizabeth McDonald (SEAL)
Elizabeth McDonald

6 Lionel McDonald (SEAL)
Lionel McDonald

7 Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

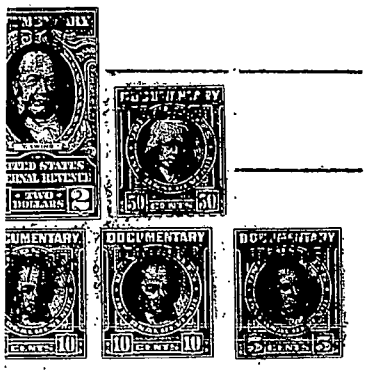
Mary Danner (SEAL)
Mary Danner

lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantees , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantees , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa
Kent & Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, Mary Turner the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Mary Turner (SEAL)
Notary Public
My Commission expires Jan. [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

NOTARY PUBLIC STATE OF OREGON

Gloria Wynnegar (SEAL)
Notary Public for Oregon
My Commission expires 7/26/52

-7-

CERTIFICATE

V, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 19 49

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, eared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-2-51

Vol. 464 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell

County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, LIRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Lira Cargill (SEAL)
Justice of the Peace
My Commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Leonore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Leonore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Gilcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradley Gilcott, Clerk.

Entered of Record May 27 1950, 11-50 am. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen
M.R.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81° 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen m.d.

Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six

BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. F. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. F. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. F. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. F. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED) THIS DEED, Made the Fifteenth day of November in the year
JOHN KEDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Kedding, of the Borough of Osceola Mills,
HOWARD BUMBERGER ET AL) Clearfield County, Pennsylvania, and Genevieve Q. Kedding, his wife; Theodore Haney, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumberger and Harvey Bumberger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bogus, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

21384

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 At the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 288.

Excepting and reserving all gas and oil rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Korman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Korman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Korman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Fenix & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944, 10-30 A M
Recorded and Compared by

Recorder.

DSV 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

We, W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 40, did purchase all that certain parcel of seated lands, situate in the Township of Bogus County and State aforesaid, containing 75 & 70 A and sold as the property of Enoch McLarren, Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Reay for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Reay, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Reay and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such case made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee , and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee , and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. Seal) Chief Clerk

W. V. Carr
Ira Jay
J. O. Kessler
County Commissioners

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD } SS:

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P. the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. Seal) J. P.
My Commission Expires January 1st, 1948

Entered of Record Nov. 18 A. D. 19 43 Recorded by Geo. M. Hoyt Recorder
11:12 A.M.

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

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

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,
vs.

No. 05-1913-CD

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, KNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, their heirs, personal representatives, successors, and assigns, AND ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L.FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,
Defendants.

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City Bank of Pennsylvania vs. Any and all unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, his wife, Elizabeth McDonald and Lionel McDonald, her husband, Thomas Bumbarger and Iona Bumbarger, his wife, Any and all unknown heirs of George Heck, Grace Heck, Any and all unknown heirs of Harvey Bumbarger, deceased, Any and all unknown

heirs of Mary Danner, deceased, Any and all unknown heirs of Leroy Hubler and Melinda Hubler, Any and all unknown heirs of Clara Rothrock, deceased, Any and all unknown heirs of Emma Hubler, deceased, and Any and all unknown heirs of Ronald Hubler, deceased, Ruth Bumbarger, Known heir of William Bumbarger, deceased, and any an all unknown heirs of William Bumbarger, deceased Alice McGraw and Any and all unknown heirs of Oliver McGraw, John Bumbarger, as known heirs of Howard Bumbarger, deceased their heirs, personal representatives, successors, and assigns, and Any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, and John A. Redding, Jr. as Executor of the Estate of Genevieve Redding and Any and all unknown heirs of John A. Redding, and the Whole World".

It is further ORDERED that service of the Complaint in Quiet Title and any subsequent filings on Any and All Unknown heirs of Bessie Lockey, deceased, Robert Rinehart and Alice Rinehart, Elizabeth McDonald and Lionel McDonald, Thomas Bumbarger and Iona Bumbarger, Grace Heck, The Unknown heirs of George Heck, deceased, Any and All Unknown heirs of Harvey Bumbarger, deceased, any and all unknown heirs of Mary Danner, deceased, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, deeased any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler, deceased Any and all unknown heirs of William Bumbarger, deceased The unknown heirs of Oliver McGraw, Any and all unknown heirs of Howard Bumbarger deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, A.R. Chase and The unknown heirs of John A. Redding by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

The Prothonotary of Clearfield County shall amend the docket entries to reflect the amendment affected by this order.

BY THE COURT:
/s/ Fredric J. Ammerman

_____ J.

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

MAY 10 2006

Attest.

Prothonotary/
Clerk of Courts

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

NATIONAL CITY BANK OF PENNSYLVANIA

Plaintiff

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED, ROBERT RINEHART AND ALICE RINEHART, his wife, ELIZABETH MCDONALD AND LIONEL MCDONALD, her husband, THOMAS BUMBARGER AND IONA BUMBARGER, his wife, GRACE HECK AND GEORGE HECK, her husband, ANY AND ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, DECEASED, ANY AND ALL UNKNOWN HEIRS OF MARY DANNER, DECEASED, MELINDA HUBLER AND LEROY HUBLER, her husband, ANY AND ALL UNKNOWN HEIRS OF CLARA ROTHROCK, DECEASED, ANY AND ALL UNKNOWN HEIRS OF EMMA HUBLER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF RONALD HUBLER, DECEASED, RUTH BUMBARGER, KNOWN HEIR OF WILLIAM BUMBARGER, DECEASED, AND ANY AND ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, DECEASED, ALICE MCGRAW AND OLIVER MCGRAW, her husband, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, Deceased, their heirs, personal representatives, successors, and assigns, and ANY AND ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, DECEASED, AND HARRY L. FORCEY a/k/a H.L. FORCEY, Executor and Trustee of the ESTATE OF THOMAS H. FORCEY, AND A.R. CHASE, Administrator d.b.n.o.t.a. and Succeeding Trustee of the ESTATE OF THOMAS H. FORCEY, JOHN A. REDDING AND GENEVIEVE REDDING, husband and wife, AND THE WHOLE WORLD,

Defendants.

No. 05-1913-CD
COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:

LORI A. GIBSON, ESQUIRE
PA I.D. #68013
HEIDI A. KORDISH, ESQUIRE
PA I.D. #90512
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0012742

FILED
DEC 08 2005
William A. Shaw
Prothonotary/Clerk of Courts

6-12-06 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

~~Deputy~~ Prothonotary

NOTICE AND COMPLAINT

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio and is hereinafter referred to as "Plaintiff".

2. Defendant, Bessie Lockey, was an adult individual and a known heir of Howard Bumbarger, Deceased, whose last known residence was Allport, Clearfield County, Pennsylvania, and who is believed to be deceased.

3. Defendants, Robert Rinehart and Alice Rinehart, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, and whose last known residence was Baltimore, Maryland.

4. Defendants, Elizabeth McDonald and Lionel McDonald, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Morrisdale, Clearfield County, Pennsylvania.

5. Defendants, Thomas Bumbarger and Iona Bumbarger, husband and wife, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known address was Bradford Township, Clearfield County, Pennsylvania.

6. Defendants, Grace Heck and George Heck, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

7. Defendant, Harvey Bumbarger, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

8. Defendant, Mary Danner, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Lemoyne, Pennsylvania, and who is believed to be deceased.

9. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

10. Defendant, Clara Rothrock, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who is believed to be deceased.

11. Defendant, Emma Hubler, was an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Foster, Oregon, and who is believed to be deceased.

12. Defendant, Ruth Bumbarger, is an adult individual and known heir of William Bumbarger, Deceased, who was a known heir of Howard Bumbarger, Deceased, whose last known residence was 1974 Allport Cutoff, Morrisdale, Clearfield County, Pennsylvania 16858.

13. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Bigler, Clearfield County, Pennsylvania.

14. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon.

15. Defendant, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

16. Defendant, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, was an adult individual whose last known residence was Morrisdale, Clearfield County, Pennsylvania.

17. Defendants, John A. Redding and Genevieve Redding, husband and wife, are adult individuals whose last known residence is Osceola Mills Borough, Clearfield County, Pennsylvania.

18. Plaintiff is the owner of the following described piece of parcel of land:

> ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:
>
> BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for now

or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees twelve minutes West (N 19" 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et us; South eighty-three degrees, sixteen minutes, thirty seconds East (S 83'- 16 " -30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70 48' W) three hundred forty-nine and twenty-two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres.

The Clearfield County Assessment Records show the property assessed in Boggs Township, Clearfield County, Pennsylvania as Tax ID N10-000-00077.

19. The above described property, hereinafter referred to as "Subject Property", was granted and conveyed to Plaintiff by the Clearfield County Sheriff through a sheriff's sale, of which a deed dated March 3, 2003, and recorded on March 3, 2003, in the Office of the Recorder of Deeds of Clearfield County as Instrument Number 200303133. A true and correct copy of the Deed is attached hereto, marked as Exhibit "1", and made a part hereof.

20. Defendants, heirs of Howard Bumbarger, acquired title to the oil and gas under the Subject Property as Heirs of Howard Bumbarger by exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed BookVolume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2", and made a part hereof.

21. Defendants, Harry L. Forcey a/k/a H.L. Forcey, Executor and Trustee of the Estate of Thomas H. Forcey, A.R. Chase, Administrator d.b.n.o.t.a. and Succeeding Trustee of the Estate of Thomas H. Forcey, acquired title to the gas, oil, coal, clay, and other minerals under the Subject Property through reservation in deed dated May 8, 1946, and recorded May 20, 1946, in Clearfield County, Pennsylvania Deed Book Volume 375, Page 506. A true and correct copy of the Deed is attached hereto, marked as Exhibit "3", and made a part hereof.

22. Defendants, John A. Redding and Genevieve Redding, husband and wife, acquired title to the Subject Property along with Theodore A. Haney and his wife, by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397.

23. Subsequently, Defendants, John A. Redding and Genevieve Redding, husband and wife, and Theodore A. Haney and his wife, granted and conveyed all right, title, and interest to the Subject Property and excepting and reserving the oil, gas, and clay rights by deed dated November 15, 1943, and recorded February 15, 1944, in Clearfield County, Pennsylvania Deed Book Volume 356, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "4", and made a part hereof.

24. Thereafter, the widow of Theodore A. Haney, Deceased, and her husband, Richard Hemphill, conveyed to Defendants, John A. Redding and Genevieve Redding, husband and wife, their interest in the Subject Property by deed dated and recorded September 21, 1951, in Clearfield County, Pennsylvania Deed Book Volume 415, Page 484.

25. The aforesaid mineral rights were not specifically conveyed in prior deeds and Plaintiff was not aware of such cloud on the title, which exists as a result of the prior deeds.

26. The failure of the above referenced oil, gas, coal, clay and other mineral rights to be conveyed in subsequent deeds had been addressed and an attempt had been made to correct the issue in a quiet title action docketed at Book 162 Page 341; however, this attempt to correct the non-conveyance of the oil, gas, coal, clay and other mineral rights did not correct the issue.

27. The right to strip mine the Subject Property and to destroy the surface and structures continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

28. The oil, gas, coal, clay and other minerals have not been extracted from the Subject Property and prior grantees of the Subject Property have not exercised any rights regarding the oil, gas, coal, clay and other minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title.

30. The potential right, title, claim, and interest of Defendants, their heirs, personal representatives, successors and assigns in the Subject Property creates a cloud and impediment on the title of Plaintiff, which Plaintiff desires to have removed and extinguished, as well as having good and marketable title to the Subject Property declared and adjudged absolutely and solely in Plaintiff.

WHEREFORE, Plaintiff respectfully requests and prays this Honorable Court enter an Order setting forth the following:

(a) that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World shall be forever barred from asserting any right, title, or interest in or to the above described parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above described parcel of land in fee simple absolute and are entitled to the quiet and peaceful possession of the above described parcel of land from Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, free and clear of any right, title or interest of the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them; that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World, and all persons claiming under them shall have no estate, right , title, claim, lien, or interest in or to the above described parcel of land or any part thereof, and, that the title to the above described parcel of land be quieted in Plaintiff as against all claims of Defendants, their heirs, personal representatives, successors and assigns, and the Whole World;

© that the Defendants, their heirs, personal representatives, successors and assigns, and the Whole World are permanently enjoined from asserting any estate, right, title, claim, lien or interest in or to the above described parcel of land or any part thereof adverse to Plaintiff; and,

(d) granting any other relief that the Court deems just and proper under the circumstances.

BERNSTEIN LAW FIRM, P.C.

By: _____

Lori A. Gibson, Esquire
Heidi A. Kordish, Esquire
Attorneys for Plaintiff
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0012742

SHERIFF'S DEED

-ACT OF 1905

AFFIDAVIT No. 36265

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of $1.00 plus costs , to me in hand, do hereby grant and convey to

NATIONAL CITY BANK OF PENNSYLVANIA

the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of JOHN R. ENNIS, JR, of, in and to

ALL that certain piece or parcel of land situated in the Township of Boggs, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the East side of State Route section 2024. Said point in thirty feet (30.0) from centerline of said Road. Said point is also the Northwest corner of a thirty-three (33.0) foot right-of-way access for; now or formerly, Delbert B. Lansberry; thence along said Road; North nineteen degrees, twelve minutes West (N 19° 12' W), two hundred fifty and ninety-nine hundredths feet (250.99) to an iron pin; thence along other lands of Ronald R. Lowder, et ux:, South eighty-three degrees, sixteen minutes, thirty seconds East (S 83' – 16"- 30' E), three hundred seventy and eighteen hundredths feet (370.18) to an iron pin; thence still along other lands of Ronald R. Lowder, et. ux., South twenty-nine degrees, thirty-two minutes, twenty five seconds, East (S 29° 32' 25" E), ninety and sixty-one hundredths feet (90.61) to an iron pin located on the North side of the above mentioned right-of-way; thence South Seventy-degrees, forty-eight minutes West (S 70° 48' W) three hundred forty-nine and twenty–two hundredths feet (349.22) to an iron pin and place of beginning.

CONTAINING 1.3164 acres and being part of the same premises which Ronald R. Lowder and Eileen C. Lowder, husband and wife, by their deed dated October 23, 1997 and recorded in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1882, Page 313 granted and conveyed to JOHN R. ENNIS, JR.

Tax ID N10-000-00077

SEIZED, taken in execution and sold as the property of JOHN R. ENNIS, JR., at the suit of NATIONAL CITY MORTGAGE COMPANY. JUDGMENT NO. 02-380-CD.

KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200303133
RECORDED ON
Mar 03, 2003
12:13:04 PM
Total Pages: 4

RECORDING FEES - RECORDER	$13.00
COUNTY IMPROVEMENT FUND	$2.00
RECORDER IMPROVEMENT FUND	$3.00
JCS/ACCESS TO JUSTICE	$10.00
STATE WRIT TAX	$0.50
TOTAL	$28.50
CUSTOMER	
CLEARFIELD CO SHERIFF	

EXHIBIT 1

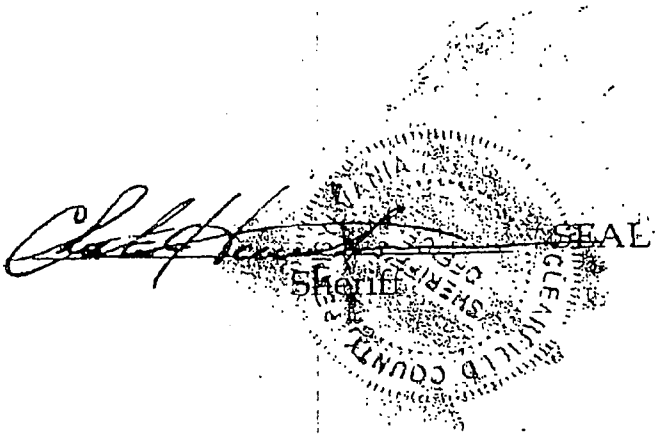
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common Pleas of said County of Clearfield as of case number 02-380-CD at the suit of

NATIONAL CITY MORTGAGE COMPANY

against

JOHN R. ENNIS, JR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 3RD day of MARCH Anno Domini Two thousand and three.



State of Pennsylvania
County of Clearfield

On 3RD day of MARCH , 2003, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins,** High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity thereinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

Sheriff of Clearfield County

NATIONAL CITY BANK OF PENNSYLVANIA
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342

Station: View7 - 10/14/2005 9:13:20 AM

CLEARFIELD COUNTY

Inst # 200303133 - Page 4

Deed-Poll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County

TO

NATIONAL CITY BANK OF PENNSYLVANIA

3232 NEWMARK DRIVE

MIAMISBURG, OH 45342

SHERIFF DEED

Dated MARCH 3, 2003
For $1.00 + COSTS

Sold as the property of

JOHN R. ENNIS, JR.

Sold on 02-380-CD

MADE the Seventeenth day of May in the year Nineteen Hundred and forty-nine, Between BESSIE LOCKEY and JAMES LOCKEY, her husband, of the Village of Allport, Morris Township, Clearfield County, Pennsylvania, ROBERT RINEHART and ALICE RINEHART, his wife, of Baltimore, Maryland, ELIZABETH McDONALD and LIONEL McDONALD, her husband, of the Village of Morrisdale, Clearfield County, Pennsylvania, THOMAS BUMBARGER and IONA BUMBARGER, his wife, of Bradford Township, Clearfield County, Pennsylvania, GRACE HECK and GEORGE HECK, her husband, of West Fairview, Pennsylvania, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the village of Morrisdale, Clearfield County, Pennsylvania, MARY DANNER and WALTER DANNER, her husband, of Lemoyne, Pennsylvania, MELINDA HUBLER and LEROY HUBLER, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, CLARA ROTHROCK and PERCY ROTHROCK, her husband, of the village of Morrisdale, Clearfield County, Pennsylvania, EMMA HUBLER and ROLAND HUBLER, her husband, of Foster, Oregon, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, of the Village of Morrisdale, Clearfield County, Pennsylvania, ALICE McGRAW and OLIVER McGRAW, her husband, of Bigler, Pennsylvania, JOHN BUMBARGER and EVELYN BUMBARGER, his wife, of Sweet Home, R. D., Oregon, heirs at law of Howard Bumbarger, late of Graham Township, Clearfield County, Pennsylvania, together with the spouses of the heirs at law, hereinafter called GRANTORS,

- A N D -

HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, as tenants by the entireties, of the village of Morrisdale, Clearfield County, Pennsylvania, hereinafter called GRANTEES.

WITNESSETH, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees as tenants by the entireties, ALL those three (3) pieces, parcels or tracts of land bounded and described as follows:

THE FIRST THEREOF: All the right, title and interest of Howard Bumbarger in the conveyance from John Redding and Genevieve O. Redding, his wife, to Howard Bumbarger and Harvey Bumbarger, dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

The premises herein conveyed are the same premises which John Redding and Genevieve O. Redding, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger by deed dated the 15th day of November 1943 and recorded in Deed Book 356, page 397.

EXHIBIT 2

The purpose of this conveyance is to convey the interest of Howard Bumbarger to the Grantees herein, of all the right, title and interest which Howard Bumbarger acquired by the above mentioned deed.

THE SECOND THEREOF: All that certain tract of land situated in Bradford Township, Clearfield County and State of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a chestnut post corner on Public Road; thence North four and three-fourths (4-3/4) degrees East, one hundred and twenty-six and five-tenths (126.5) perches along said public road and land of John Turner to a post corner on line of land of Henry Trump; thence along said line of Henry Trump, North eighty-six and one-half (86½) degrees West ninety (90) perches to a stone corner; thence South twenty and three-fourths (20-3/4) East one hundred and thirty-eight and five-tenths (138.5) perches along land of Mary Moyer to a post corner on old road; thence along said old road and land of James Turner, South eighty-six (86) degrees East thirty and five-tenths (30.5) perches to a post corner and place of beginning. Containing forty-six (46) acres and thirty-five and three-tenths (35.3) perches strict measure.

Being the same premises which John Maurey conveyed to Howard Bumbarger by deed dated the 24th day of January 1905 and which deed is recorded in Deed Book 146, page 122.

THE THIRD THEREOF: ALL the surface of that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L. R. Coble and in the center of an old tram grade; thence by L. R. Coble and the said tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals.

And further excepting and reserving, nevertheless, the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the predecessors in title or which may hereafter come under control of predecessors in title, with the rights in removing the said coal, clay and other minerals from other lands of predecessors in title, which they now oen or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to predecessors in title to the property hereon conveyed.

AND further it is expressly understood and there is excepted and reserved unto predecessors in title, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal. However, predecessors in title to give to the grantees herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantees, their heirs or assigns, the rights and privileges to rmove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantees in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the predecessors in title, the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, their heirs, executors and/or assigns. And further there is reserved to predecessors in title, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of predecessors in title. However, there are no rights herein reserved upon the part of predecessors in title for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

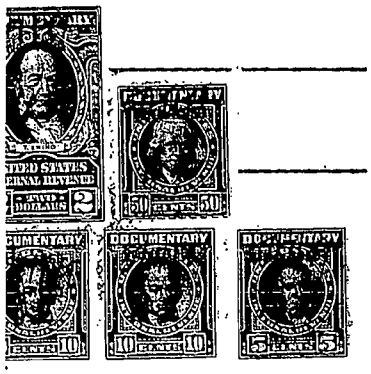
404-4

The above named Howard Bumbarger died intestate on February 9, 1948, and left surviving him as his heirs at law, the following named persons: Bessie Lockey, Robert Rinehart, Elizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumbarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma Hubler, William Bumbarger, Alice McGraw, John Bumbarger. The above named heirs at law, together with their spouses, do hereby join in the within deed.

And the said grantors do hereby covenant and agree to and with the said grantees , that they , the grantors, their heirs and administrators, shall and will SPECIALLY WARRANT and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantees , their heirs and assigns, against the grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year above written.

Sealed and Delivered
in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

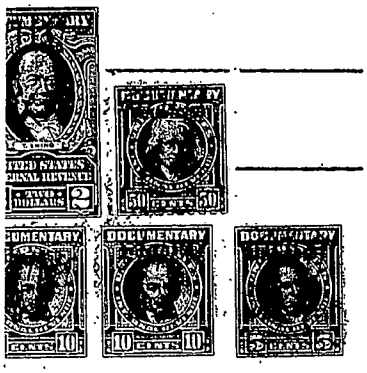
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bumarger, Mary Danner, Melinda Hubler, Clara Rothrock, Emma ubler, William Bumbarger, Alice McGraw, John Bumbarger. The bove named heirs at law, together with their spouses, do hereby oin in the within deed.

And the said grantors do hereby covenant and agree to nd with the said grantee s , that they , the grantors, heir heirs and administrators, shall and will SPECIALLY ARRANT and forever defend the herein above described premises, ith the hereditaments and appurtenances, unto the said rantee s , their heirs and assigns, against the grantors, nd against every other person lawfully claiming or who shall ereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said grantors have hereunto et their hands and seals the day and year above written.

Sealed and Delivered in the presence of



1. Bessie Lockey (SEAL)
Bessie Lockey

2. James Lockey (SEAL)
James Lockey

3. Robert Rinehart (SEAL)
Robert Rinehart

4. Alice Rinehart (SEAL)
Alice Rinehart

5. Elizabeth McDonald (SEAL)
Elizabeth McDonald

6. Lionel McDonald (SEAL)
Lionel McDonald

7. Thomas Bumbarger (SEAL)
Thomas Bumbarger

Iona Bumbarger (SEAL)
Iona Bumbarger

Grace Heck (SEAL)
Grace Heck

George Heck (SEAL)
George Heck

Harvey Bumbarger (SEAL)
Harvey Bumbarger

Sylvia Bumbarger (SEAL)
Sylvia Bumbarger

Mary Danner (SEAL)
Mary Danner

Walter Danner (SEAL)
Walter Danner

Melinda Hubler (SEAL)
Melinda Hubler

Leroy Hubler (SEAL)
Leroy Hubler

Clara Rothrock (SEAL)
Clara Rothrock

Percy Rothrock (SEAL)
Percy Rothrock

Emma Hubler (SEAL)
Emma Hubler

Roland Hubler (SEAL)
Roland Hubler

William Bumbarger (SEAL)
William Bumbarger

Ruth Bumbarger (SEAL)
Ruth Bumbarger

Alice McGraw (SEAL)
Alice McGraw

Oliver McGraw (SEAL)
Oliver McGraw

John Bumbarger (SEAL)
John Bumbarger

Evelyn Bumbarger (SEAL)
Evelyn Bumbarger

Morrisdale Pa
Kent J. Gilbertson
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of [illegible], 1949, before me, [illegible] the undersigned officer, personally appeared BESSIE LOCKEY and JAMES LOCKEY, her husband, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, MELINDA HUBLER and LEROY HUBLER, her husband, CLARA ROTHROCK and PERCY ROTHROCK, her husband, WILLIAM BUMBARGER and RUTH BUMBARGER, his wife, ALICE McGRAW and OLIVER McGRAW, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[illegible] (SEAL)
Notary Public

My Commission expires [illegible]

404-484

OUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally ppeared EMMA HUBLER and ROLAND HUBLER, her husband, known to me, or satisfactorily proven) to be the persons whose names are subcribed to the within instrument, and acknowledged that they xecuted the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official eal.

Gloria Wynnegar
Notary Public for Oregon (SEAL)
My Commission Expires 3/26/52

-7-

CERTIFICATE

N, } ss.
n. }

Russell ....., County Clerk of the County of Linn, State of f the County Court of said County, (which is a Court of Record), do hereby

Gloria Wynnegar

to the certificate or proof of acknowledgment of the annexed instrument, and therein writking such proof or acknowledgment a Notary Public in and for said County, duly commisorized by law to take the same; and full faith and credit are due to all his official acts as I do further certify that I am well acquainted with the handwriting of said Notary Public signature to said certificate, or proof of acknowledgment, is genuine; and that said instruknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949

County Clerk and Clerk of the County Court of Linn county.

TE OF OREGON :
: SS:
NTY OF Linn:

On this the 5th day of July, 1949, before me, Margaret Chittam the undersigned officer, personally, peared JOHN BUMBARGER and EVELYN BUMBARGER, his wife, known me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that y executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and icial seal.

Margaret Chittam (SEAL)
Notary Public for Oreg.
My comm. expires 11-12-51

Book 404 Page 485

CERTIFICATE

STATE OF OREGON, } ss.
County of Linn. }

I, R. V. Russell, County Clerk of the County of Linn, State of Oregon and Clerk of the County Court of said County, (which is a Court of Record), do hereby certify that Margaret Chritton whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgment a Notary Public in and for said County, duly commissioned, qualified and authorized by law to take the same; and full faith and credit are due to all his official acts as such Notary Public; and I do further certify that I am well acquainted with the handwriting of said Notary Public and verily believe the signature to said certificate, or proof of acknowledgment, is genuine; and that said instrument is executed and acknowledged according to the laws of the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County Court, at my office in said County, this 5th day of July 1949.

R. V. Russell
County Clerk and Clerk of the County Court of Linn county.

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of July, 1949, before me, L. IRA CARGILL, the undersigned officer, personally appeared MARY DANNER and WALTER DANNER, her husband known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace

BOOK 404 PAGE 486

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF Cumberland :

On this the 23rd day of July, 1949, before me, L. IRA CARGILL the undersigned officer, personally appeared GRACE HECK and GEORGE HECK, her husband, known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

L. Ira Cargill (SEAL)
Justice of the Peace
My commission expires
1st Monday January 1954

STATE OF MARYLAND :
: SS:
COUNTY OF Balto. :

On this the 19th day of July, 1949, before me, Lenore K. Volz the undersigned officer, personally appeared ROBERT RINEHART and ALICE RINEHART, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Lenore K. Volz (SEAL)
Notary Public

2000—4-48.

State of Maryland, County of Baltimore, to wit:

I, T. Bradey Silcott, Clerk of the Circuit Court for Baltimore County, (the same being a court of law and record of the aforesaid county, having by law a seal) do hereby certify that Lenore K. Volz whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a NOTARY PUBLIC of the State of Maryland in and for Baltimore County, duly commissioned and sworn, and residing in said county, and was, as such, an officer of said State duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his/her official acts, and I further certify that I am well acquainted with his/her handwriting, and verily believe that the signature to the attached certificate is his/her genuine signature.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal this 19th day of July 1949.

T. Bradey Silcott, Clerk.

Entered of Record May 21 1950, 11-50 a.m. Weir W. Mullen, Recorder

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L. Forcey (seal)
Executor and Trustee
A.R.Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield :SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared Harry L. Forcey and A. R. Chase of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires First Monday in January 1948

I/We hereby certify that the precise residence of the grantee is Woodland Pa.
A R Chase

U.S.Revenue $1.10
Entered of Record May 20, 1946. 11/15 A M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

375-506

DEED
T H FORCEY ESTATE BY EXRS
TO
HOWARD BUMBARGER

THIS DEED, MADE the EIGHTH day of MAY in the year Nineteen Hundred and Forty-six.

BETWEEN, Harry L. Forcey, Executor and Trustee, and A.R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, both of Clearfield Borough, Clearfield County, State of Pennsylvania, parties of the first part, hereinafter called Grantors, and Howard Bumbarger of Graham Township, Clearfield County, Pennsylvania, party of the second part, hereinafter called Grantee.

WITNESSETH, that in consideration of Thirteen Hundred Seventy Dollars and Twenty-Five ($1370.25) Cents, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, all the surface on that certain tract or piece of land situate in Graham Township, Clearfield County, State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner of the Bert C. and Howard Hubler tract, and on line of the Forcey-Schoonover tract, said corner being the Southwest corner of land about to be described; thence by land of Bert C. and Howard Hubler, North 7' 00" East, 1248.0 feet to a stone pile corner at land of L.R. Coble and in the center of an old tram grade; thence by L.R. Coble and the said Tram grade, North 70' 49" East, 267.0 feet, North 56' 09" East, 211.7 feet, North 60' 55" East, 302.7 feet, South 79' 08" East, 709.0 feet, South 86' 34" East, 193.8 feet, North 72' 26" East, 209.5 feet, North 59' 15" East, 706.6 feet and North 78' 13" East, 68.0 feet to a stone pile corner at land of Thomas Bumbarger; thence by land of Thomas Bumbarger, South 7' 00" West, 2174.0 feet to a stone pile corner on line of the

EXHIBIT 3

Forcey-Schoonover tract; thence by the said tract, North 81' 04" West, 2348.3 feet to the place of beginning. Containing 91.35 Acres.

SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto the parties of the first part as Executors, Administrators, and Trustees of the Thomas H. Forcey Estate, their heirs, executors, and/or assigns, all the minerals, liquid, gaseous and solid, coal, clay and any other minerals, together with the rights of ingress, egress and regress into, upon and over said land for the purposes of preparing said minerals, herein reserved, for market and for these purposes shall have such rights as to the removal and manufacturing of said minerals as may be necessary and convenient for the proper preparing, manufacturing and removing the said minerals from the premises herein conveyed, with the rights to place upon said premises any and all such improvements and equipment as may be necessary in the removal of minerals as well as dumping of refuse and doing such other acts as may be needed which will expedite the removal of the same, free from all damages because of destruction to the surface or to the water courses and injuries caused by the subsidence of the surface in the proper removal of the minerals. . . . . .

AND further excepting and reserving, nevertheless, unto the grantors herein, their heirs, executors and assigns the free and uninterrupted rights of transporting and removing over and under the lands herein conveyed, coal, clay and other minerals from any other lands which may be owned by the grantors hereinor which may hereafter come under control of the parties of the first part, with the rights in removing the said coal, clay and other minerals from other lands of the grantors herein, which they now own or may hereafter secure or control, free from all damages and with the uninterrupted right and privilege to erect and maintain upon, over and through the said lands herein sold, tram ways and passage ways for the purpose of removing said minerals without charge or costs and with the rights of ingress, egress and regress in the exercising of this right, herein reserved; to erect and maintain passage ways and transportation ways of removing coal from other lands, free from all damages whatsoever to the grantors herein to the property herein conveyed.

AND further it is expressly understood and there is excepted and reserved unto the grantors herein, their heirs, executors, and assigns, the right to remove any and all minerals from the premises herein conveyed by the so-called stripping method, free from all damages for the destruction to the surface, water courses and timber growth, caused by said removal.. However, the grantors herein, their heirs, executors and assigns, to give to the grantee herein a thirty (30) days' written notice of intention to destroy the timber growth by reason of proposed stripping, so as to give to the said grantee, his heirs or assigns, the rights and privilege to remove any tree growth that may be desired within thirty (30) days' before the stripping operation is to commence and that if said tree growth is not removed within the said time, then all rights by the grantee in the time upon the area to be stripped and used in said stripping operations terminates and ceases.

FURTHER saving, excepting and reserving unto the said grantors, their heirs and assigns the rights to go upon said premises herein conveyed at any time to prospect and drill and use any other methods in determining whether minerals exist in, upon and under the said premises. These rights to be exercised, free from all damages and compensation to the said parties of the second part, his/their heirs, executors and/or assigns. And further there is reserved to the grantors herein, the rights to remove any and all improvements that may be erected in, or upon the premises herein granted, for the purposes of prospecting for and/or removing the minerals herein reserved and also the rights of removal of all improvements that may be erected in, upon or under the premises in the transportation of coal from any other lands unto, or that may hereafter come under the control of the grantors herein, their heirs, executors, administrators and/or assigns. However, there are no rights herein reserved upon the part of the grantors herein, for the erection of dwelling houses upon the premises herein conveyed.

ALSO saving and excepting and reserving to the parties of the first part, the Thomas H. Forcey Estate, the right of maintaining roads over the lands herein conveyed and establishing the same for the removal of any timber from the Forcey Estate lands, which lands may now

be owned by the Forcey Estate or formerly owned by it. This right to extend to the prior purchasers and future purchasers of Forcey Estate lands.

AND the said grantors, do hereby covenant and agree to and with the said grantee, that they, the grantors, their heirs, executors and administrators Shall and Will Specially Warrant and Forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said grantee, his heirs and assigns against the said grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under them, their heirs and assigns.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:
Fred Thompson Jr.

Harry L Forcey (seal)
Executor and Trustee
A.R. Chase (seal)
Administrator d.b.n.c.t.a. and
succeeding Trustee

State of Pennsylvania :
County of Clearfield : SS:

On this, the 17 day of May, 1946, before me Recorder of Deeds, the undersigned officer, personally appeared A.R.Chase and Harry L. Forcey of the County of Clearfield, and State of Pennsylvania, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Weir W Mullen (off.seal)
Recorder of Deeds

My commission expires first Monday in January 1948

I/we hereby certify that the precise residence of the grantee is Woodland RD, Pa.

A R Chase
Atty

U.S.Revenue $1.65
Entered of Record May 20, 1946. 11/17 P M
Recorded and Compared by Weir W. Mullen M.D.
Recorder.

DEED)
STEVE KITCKO AL)
TO)
MIKE BALLOCK AL)

THIS DEED, Made the 20 day of May in the year Nineteen Hundred and forty-six
BETWEEN Steve Kitcko and his wife, Mary Kitcko, of Hawk Run, Clearfield County, Pennsylvania, parties of the First Part, hereinafter called Grantors and Mike Ballock and his wife, Elizabeth Ballock as tenants by entireties, of Hawk Run, Clearfield County, Pennsylvania, parties of the Second Part, hereinafter called Grantees

WITNESSETH, that in consideration of Three Hundred ($300.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

ALL that certain piece or lot of land situate and lying in the Village of Ashcroft, Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as

DBV 356/397

And the said grantors will warrant and forever defend the property hereby conveyed.
In Witness whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Edwin Perna (SEAL)
Isabel Perna (SEAL)

Sealed and delivered in the presence of
E. W. Hancock Justice of the Peace

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, the6th day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perna and Isabel Perna, his wife known to me (or satisfactorily proven) to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

E. W. Hancock (OFF SEAL)
My Commission expires.
My Commission expires first
Monday in January 1948

To Recorder of Deeds:

Certificate of Residence

I hereby certify that the correct address and place of residence of the grantees herein as follows: Decatur Township, Clearfield County, Pennsylvania.

E. W. Hancock
/Attorney/Agent for grantee

U. S. Revenue $1.10
Entered of record Feb 8, 1944 11:15A. M.
Recorded and compared by

Recorder

DEED)
JOHN REDDING ET AL)
TO)
HOWARD BUMBARGER ET AL)

THIS DEED, Made the Fifteenth day of November in the year of our Lord one thousand nine hundred forty-three BETWEEN John Redding, of the Borough of Osceola Mills, Clearfield County, Pennsylvania, and Genevieve Q. Redding, his wife; Theodore Hardy, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Haney, his wife, parties of the first part, hereinafter designated grantors, and Howard Bumbarger and Harvey Bumbarger, of the Township of Bogus, County of Clearfield, State of Pennsylvania, hereinafter designated the grantees, and parties of the second part.

WITNESSETH, that in consideration of One (1) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby release and quitclaim to the said grantees,

ALL That certain tract or piece of land situated in the Township of Bergs, County of Clearfield, and State of Pennsylvania, bounded and further described as follows:

Being the same premises which were assessed in the name of Enoch McLarren Estate containing 73 and 70 acres which was conveyed by the County Commissioners of the County of Clearfield, who having given due and timely notice, according to the several Acts of

EXHIBIT 4

DBV 356/398

Assembly in relation thereto, of their power to sell, and of the time and place of sale did agreeably to law, on the 23rd day of April, 1943, expose the said premises to public sale by public vendue or outcry, in Court Room #1 at the Court House at Clearfield, by their deed dated August 23rd, A.D., 1943, conveyed the same to the grantors herein, and said deed intended to be recorded. Title to which became vested in the aforesaid County Commissioners of Clearfield County, by County Treasurer's deed dated July 8th, A.D. 1943 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 288.

Excepting and reserving, oil, gas and clay rights unto the parties of the first part, including the right of ingress, egress, and regress, to search, for, dig, prospect, transport and carry away, in all the usual operations which are customary for the proper mining and removal of the same.

In Witness Whereof, said grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered
in the presence of
L R Norman

John Redding (seal)
Genevieve O Redding (seal)
Theodore Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)ss.

On this, the fifteenth day of November, 1943, before me, L.R.Norman, Justice of the Peace, in and for the aforesaid County & State, the undersigned officer, personally appeared John Redding, Genevieve O. Redding, Theodore Haney, & Ethel Haney known to me (or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

L.R.Norman (off seal) J.P.
Justice of the Peace
Title of Officer.

My commission expires first Monday in January 1944

U.S.Revenue $1.10

Certificate of Residence

We do hereby certify that the precise residence of the within named grantees is Morrisdale, R.D.

Feb 14 1944

Penix & Silberblatt
Attorneys for Grantees

Entered of record Feb 14 1944, 10-30 A M
Recorded and Compared by

Recorder.

DBU 352

Deed

CLEARFIELD COUNTY COMMISSIONERS

TO

JOHN A. REDDING ET AL

Mr. W. V. CARR, IRA JAY AND J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, SEND GREETING:

Whereas, the County Commissioners of said County of Clearfield, in pursuance of the several Acts of Assembly in that behalf made and provided, at a County Treasurer's sale of seated lands, for taxes, made on the 25th day of January 19 43, did purchase all that certain parcel of seated lands, situate in the Town-ship of Bogus County and State aforesaid, containing 75 & 70 A and sold as the property of Enoch McLarren Est.

there having been no bid made by any person sufficient to pay taxes, interest and costs.

And Whereas, the then County Treasurer of Clearfield County did make a deed to the County Commissioners, and to their successors in office, for the aforesaid parcel of land, subject, however, to the right of redemption granted by law; and the said parcel of land so purchased has remained unredeemed, for the period designated by law.

And Whereas, W. V. CARR, IRA JAY and J. O. KESSLER, said County Commissioners, having given due and timely notice, according to the several Acts of Assembly in relation thereto, of their power to sell, and of the time and place of sale, and all such matters as are required by law, did agreeably to law, on the 23rd day of April, 1943, expose to public sale by public vendue or outcry, in Court Room No. 1 at the Court House at Clearfield, aforesaid, the aforesaid tract of land, and the aforesaid County Commissioners sold the whole of the aforesaid parcel of land to John A. Redding and Theodore Haney for the sum of $200.00 lawful money of the United States, they being the highest bidder, and that the highest and best price bidden for the same.

Now, Know Ye, that we, the said W. V. CARR, IRA JAY and J. O. KESSLER, County Commissioners as aforesaid, in consideration of the premises and of the aforesaid sum of $ 200.00 in hand paid by the said John A. Redding and Theodore Haney, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Haney and to their heirs successors and assigns, according to the laws of the Commonwealth of Pennsylvania in such case made and provided, for all such estate, right, title and interest as has been acquired by the first above mentioned purchase from the County Treasurer of the County of Clearfield, and as we, the said County Commissioners, have a right to convey, all that above mentioned and described parcel of land situate as aforesaid in Bogus Township, with the appurtenances;

To Have and to Hold the aforesaid parcel of land for all such estate, right, title and interest as the said County Commissioners of the County of Clearfield have a right to convey, unto the said grantee, and to their heirs successors and assigns, to and for the only proper use and behoof of the said grantee, and to their heirs successors and assigns, forever.

In Witness Whereof, we, the said County Commissioners of Clearfield County, have hereunto set our hands and caused the official seal of said County, duly attested, to be affixed, this 23rd day of August 1943.

ATTEST

Fred B. Read (Off. Seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA } SS:
COUNTY OF CLEARFIELD }

On this, the 25 day of August, 1943, before me, Chas. S. Strong J. P., the undersigned officer, personally appeared W. V. CARR, IRA JAY and J. O. KESSLER, known to me to be the persons described in the foregoing deed, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Chas. S. Strong (Off. Seal) J. P.

My Commission Expires January 1st, 1948

Entered of Record Nov. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. R. Gearhart M. D. Recorder

EXHIBIT 5

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint ~~in Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.

LAURA CAUPER
AUTHORIZED SIGNER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 1 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any & all unknown heirs of BESSIE LOCKEY, Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

FILED
NOV 13 2006
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 2 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT ROBERT RINEHART & ALICE RINEHART, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 3 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT ELIZABETH MCDONALD & LIONEL MCDONALD, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 4 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT THOMAS BUMBARGER & IONA BUMBARGER, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 5 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any and all unknown heirs of GEORGE HECK, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 6 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT GRACE HECK, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 7 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of HARVEY BUMBARGER,Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 8 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of MARY DANNER, Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 9 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unkn. heirs of LEROY & MELINDA HUBLER, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 10 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of CLARA ROTHROCK,Dec., RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 11 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of EMMA HUBLER,Dec., RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 12 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of RONALD HUBLER,Dec., RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 13 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknwn heirs of WILLIAM BUMBARGER,Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 14 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of OLIVER MCGRAW, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 15 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unkwn heirs of HOWARD BUMBARGER,Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 16 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unkn.heirs HARRY L. FORCEY aka, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 17 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of JOHN A. REDDING, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 18 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT THE WHOLE WORLD, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICES 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BERNSTEIN	37360	180.00
SHERIFF HAWKINS	BERNSTEIN	37360	129.79

Sworn to Before Me This

_____ Day of _____ 2006

_____

So Answers,

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

CIVIL DIVISION

vs.

Civil Action No. 05-1913 CD

Any and all unknown heirs of BESSIE LOCKEY, deceased, ROBERT RINEHART and ALICE RINEHART, his wife, ELIZABETH MCDONALD and LIONEL MCDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, Any and all unknown heirs of GEORGE HECK, GRACE HECK, Any and all unknown heirs of HARVEY BUMBARGER, deceased, Any and all unknown heirs of MARY DANNER, deceased, Any and all unknown heirs of LEROY HUBLER and MELINDA HUBLER, Any and all unknown heirs of CLARA ROTHROCK, deceased, Any and all unknown heirs of EMMA HUBLER, deceased, and any and all unknown heirs of RONALD HUBLER, deceased, RUTH BUMBARGER, Known heir of WILLIAM BUMBARGER, deceased and any and all unknown heirs of WILLIAM BUMBARGER, deceased, ALICE MCGRAW and any and all unknown heirs of OLIVER MCGRAW, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, deceased, their heirs, Personal Representatives, successors and assigns, and any and all unknown heirs of HOWARD BUMBARGER, deceased, any and all unknown heirs of HARRY L. FORCEY a/k/a H.L. FORCEY, and JOHN A. REDDING, JR., As Executor of the Estate of GENEVIEVE REDDING and any and all Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD,
Defendants.

FILED Atty pd. 7.00
m/11:24/01
OCT 12 2006 1 Compl.
William A. Shaw Reinstated
Prothonotary/Clerk of Courts to Atty

PRAECIPE TO REINSTATE
AMENDED COMPLAINT

FILED ON BEHALF OF
Plaintiff
COUNSEL OF RECORD OF
THIS PARTY:
LORI A. GIBSON, ESQUIRE
PA ID#68013
DEBORAH R. ERBSTEIN, ESQUIRE
PA ID#86470
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100
BERNSTEIN FILE NO. F0012742

CERTIFICATE OF ADDRESS:
RD I, BOX 205-B
BOGGS TOWNSHIP
PARCEL NO. #N10-000-00077

NOTICE

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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

NATIONAL CITY BANK OF
PENNSYLVANIA,

Plaintiff,

vs. Civil Action No. 05-1913 CD

Any and all unknown heirs of BESSIE LOCKEY, deceased,
ROBERT RINEHART and ALICE RINEHART, his wife,
ELIZABETH MCDONALD and LIONEL MCDONALD, her husband,
THOMAS BUMBARGER and IONA BUMBARGER, his wife,
Any and all unknown heirs of GEORGE HECK, GRACE HECK,
Any and all unknown heirs of HARVEY BUMBARGER, deceased,
Any and all unknown heirs of MARY DANNER, deceased,
Any and all unknown heirs of LEROY HUBLER and MELINDA
HUBLER, Any and all unknown heirs of CLARA ROTHROCK,
deceased, Any and all unknown heirs of EMMA HUBLER, deceased,
and any and all unknown heirs of RONALD HUBLER, deceased,
RUTH BUMBARGER, Known heir of WILLIAM BUMBARGER,
deceased and any and all unknown heirs of WILLIAM BUMBARGER,
deceased, ALICE MCGRAW and any and all unknown heirs of
OLIVER MCGRAW, JOHN BUMBARGER, as known heirs of
HOWARD BUMBARGER, deceased, their heirs, Personal Representatives,
successors and assigns, and any and all unknown heirs of HOWARD
BUMBARGER, deceased, any and all unknown heirs of
HARRY L. FORCEY a/k/a H.L. FORCEY, and JOHN A. REDDING, JR.,
As Executor of the Estate of GENEVIEVE REDDING and any and all
Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD,

Defendants.

PRAECIPE TO REINSTATE AMENDED COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Amended Complaint in the above-captioned matter.

BERNSTEIN LAW FIRM, P.C.

By: _____
Lori A. Gibson, Esquire
Attorney for Plaintiff
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100
BERNSTEIN FILE NO. F0012742

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

NATIONAL CITY BANK OF
PENNSYLVANIA,
Plaintiff,

vs. Civil Action No. 05-1913 CD

Any and all unknown heirs of BESSIE LOCKEY, deceased,
ROBERT RINEHART and ALICE RINEHART, his wife,
ELIZABETH MCDONALD and LIONEL MCDONALD, her husband,
THOMAS BUMBARGER and IONA BUMBARGER, his wife,
Any and all unknown heirs of GEORGE HECK, GRACE HECK,
Any and all unknown heirs of HARVEY BUMBARGER, deceased,
Any and all unknown heirs of MARY DANNER, deceased,
Any and all unknown heirs of LEROY HUBLER and MELINDA
HUBLER, Any and all unknown heirs of CLARA ROTHROCK,
deceased, Any and all unknown heirs of EMMA HUBLER, deceased,
and any and all unknown heirs of RONALD HUBLER, deceased,
RUTH BUMBARGER, Known heir of WILLIAM BUMBARGER,
deceased and any and all unknown heirs of WILLIAM BUMBARGER,
deceased, ALICE MCGRAW and any and all unknown heirs of
OLIVER MCGRAW, JOHN BUMBARGER, as known heirs of
HOWARD BUMBARGER, deceased, their heirs, Personal Representatives,
successors and assigns, and any and all unknown heirs of HOWARD
BUMBARGER, deceased, any and all unknown heirs of
HARRY L. FORCEY a/k/a H.L. FORCEY, and JOHN A. REDDING, JR.,
As Executor of the Estate of GENEVIEVE REDDING and any and all
Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD,
Defendants.

FILED NO CC
m/1:01a
DEC 29 2006
William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE OF AMENDED COMPLAINT IN QUIET TITLE

FILED ON BEHALF OF
Plaintiff
COUNSEL OF RECORD OF
THIS PARTY:
LORI A. GIBSON, ESQUIRE
PA ID#68013
DEBORAH R. ERBSTEIN, ESQUIRE
PA ID#86470
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100
BERNSTEIN FILE NO. F0012742

CERTIFICATE OF ADDRESS:
RD I, BOX 250-B
BOGGS TOWNSHIP
PARCEL NO. #N10-000-00077

NOTICE

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

SH003962V001

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

NATIONAL CITY BANK OF
PENNSYLVANIA,
Plaintiff,

vs. Civil Action No. 05-1913 CD

Any and all unknown heirs of BESSIE LOCKEY, deceased,
ROBERT RINEHART and ALICE RINEHART, his wife,
ELIZABETH MCDONALD and LIONEL MCDONALD, her husband,
THOMAS BUMBARGER and IONA BUMBARGER, his wife,
Any and all unknown heirs of GEORGE HECK, GRACE HECK,
Any and all unknown heirs of HARVEY BUMBARGER, deceased,
Any and all unknown heirs of MARY DANNER, deceased,
Any and all unknown heirs of LEROY HUBLER and MELINDA
HUBLER, Any and all unknown heirs of CLARA ROTHROCK,
deceased, Any and all unknown heirs of EMMA HUBLER, deceased,
and any and all unknown heirs of RONALD HUBLER, deceased,
RUTH BUMBARGER, Known heir of WILLIAM BUMBARGER,
deceased and any and all unknown heirs of WILLIAM BUMBARGER,
deceased, ALICE MCGRAW and any and all unknown heirs of
OLIVER MCGRAW, JOHN BUMBARGER, as known heirs of
HOWARD BUMBARGER, deceased, their heirs, Personal Representatives,
successors and assigns, and any and all unknown heirs of HOWARD
BUMBARGER, deceased, any and all unknown heirs of
HARRY L. FORCEY a/k/a H.L. FORCEY, and JOHN A. REDDING, JR.,
As Executor of the Estate of GENEVIEVE REDDING and any and all
Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD,
Defendants.

AFFIDAVIT OF SERVICE OF AMENDED COMPLAINT IN QUIET TITLE

The undersigned, subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities, does hereby certify that the Amended Complaint in Quiet Title filed in the above-captioned matter, was served on the above named individuals, according to the Court Order dated May 9, 2006 granting Plaintiff's Motion to Serve the Defendants by Alternate Means by posting the subject property on September 13, 2006 and by publication in the Clearfield Progress on September 27, 2006 and the Clearfield County Legal Journal on October 20, 2006.

Deborah R. Erbstein, Esquire
Attorney for Plaintiff

Sworn to and subscribed
before me this 22nd day
of Dec., 2006

Nancy Altman Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Nancy Altman, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires June 19, 2010
Member, Pennsylvania Association of Notaries

SH003962Y001

NOTICE IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA CIVIL DIVISION NO. 05-1913-CD NATIONAL CITY BANK OF PENNSYLVANIA Plaintiff Vs. Any and all unknown heirs of BESSIE LOCKEY, deceased, ROBERT RINEHART and ALICE RINEHART, his wife, ELIZABETH MCDONALD and LIONEL MCDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, Any and all unknown heirs of GEORGE HECK, GRACE HECK, Any and all unknown heirs of HARVEY BUMBAGER, deceased, Any and all unknown heirs of MARY DANNER, deceased, Any and all unknown heirs of LEROY HUBLER and MELINDA HUBLER, Any and all unknown heirs of CLARA ROTHROCK, deceased, Any and all unknown heir of EMMA HUBLER, deceased, and any and all unknown heirs of RONALD HUBLER, deceased, RUTH BUMBARGER, Known heir of WILLIAM BUMBARGER, deceased and any and all unknown heirs of WILLIAM BUMBARGER, deceased, ALICE MCGRAW and any and all unknown heirs of OLIVER MCGRAW, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, deceased, their heirs, Personal Representatives, successors and assigns, and any and all unknown heirs of HOWARD BUMBARGER, deceased, any and all unknown heirs of HARRY L. FORCEY a/k/a H.L. FORCEY, and JOHN A. REDDING, JR., As Executor of the Estate of GENEVIEVE REDDING and any and all Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD, Defendants TO: Any and all unknown heirs of BESSIE LOCKEY, deceased, ROBERT RINEHART and ALICE RINEHART, his wife, ELIZABETH MCDONALD and LIONEL MCDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife, Any and all unknown heirs of GEORGE HECK, GRACE HECK, Any and all unknown heirs of HARVEY BUMBARGER, deceased, Any and all unknown heirs of MARY DANNER, deceased, Any and all unknown heirs of LEROY HUBLER and MELINDA HUBLER, Any and all unknown heirs of CLARA ROTHROCK, deceased, Any and all unknown heirs of EMMA HUBLER, deceased, and any and all unknown heirs of RONALD HUBLER, deceased, RUTH BUMBARGER, Known heir of WILLIAM BUMBARGER, deceased and any and all unknown heirs of WILLIAM BUMBARGER, deceased, ALICE MCGRAW and any and all unknown heirs of OLIVER MCGRAW, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, deceased, their heirs, Personal Representatives, successors and assigns, and any and all unknown heirs of HOWARD BUMBARGER, deceased, any and all unknown heirs of HARRY L. FORCEY a/k/a H.L FORCEY, and JOHN A. REDDING, JR., As Executor of the Estate of GENEVIEVE REDDING and any and all Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD, You are hereby notified that Plaintiff has filed an Amended Complaint in Quiet Title against you seeking a claim to quiet title on the property located at RD 1 Box 205-B, West Decatur, PA 16878. 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 Complaint and Notice are served upon you, 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 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. Lawyer Referral Service PA Bar Association, P.O. Box 186, Harrisburg, PA 17108 1-800-692-7375

9:27-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 2nd day of October, A.D. 20 06, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of September 27, 2006.
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

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OCT 04 2006

F0012742

Bernstein Law Firm
Suite 2200 Gulf Tower
Pittsburgh, PA 15219-1900

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 20th day of October AD 2006, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of October 20, 2006, Vol. 18 No. 42. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

Gary A. Knaresboro, Esquire
Editor

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

Sharon J Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

Bernstein Law Firm, P.C.

Raymond O. Sacolic, Executor, Estate of Mary Sacolick, late of Madera, Clearfield County.

Cindy L. Billotte, Executrix, Estate of James C. Aughenbaugh, a/k/a J. Calvin Aughenbaugh. a/k/a J. Calvin Aughenbaugh, Sr., a/k/a Calvin Aughenbaugh, a/k/a Cal Aughenbaugh. late of Clearfield, Clearfield County.

Fifth and Partial Account of First Commonwealth Trust Company now known as First Commonwealth Bank-Trust Division, Guardian, Estate of Nicole R. Butterbaugh, a minor.

Lisa A. Zierden, Executrix, Muriel J. Clyde, late of Sandy Township, Clearfield, Clearfield County.

S & T Bank, Administrator D.B.N.C.T.A., Estate of Dorothy S. Adamson, late of DuBois, Clearfield County.

Donald C. Yakimoff, Executor, Estate of Boris J. Yakimoff, late of Youngstown, OH, Mahoning County.

KAREN L. STARCK, REGISTER OF WILLS & CLERK OF ORPHANS' COURT.

ADV: OCTOBER 13th & 20th, 2006.

NOTICE
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
CIVIL DIVISION
NO. 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA Plaintiff Vs. Any and all unknown heirs of BESSIE LOCKEY, deceased. ROBERT RINEHART and ALICE RINEHART, his wife, ELIZABETH McDONALD and LIONEL McDONALD, her husband. THOMAS BUMBARGER and IONA BUMBARGER, his wife. Any and all unknown heirs of GEORGE HECK, GRACE HECK. Any and all unknown heirs of HARVEY BUMBARGER, Deceased. Any and all unknown heirs of MARY DANNER, deceased. Any and all unknown heirs of LEROY HUBLER and MELINDA HUBLER. Any and all unknown heirs of CLARA ROTHROCK, Deceased. Any and all unknown heirs of EMMA HUBLER, deceased, and any and all unknown heirs of RONALD HUBLER, deceased. RUTH BAMBARGER, Known heir of WILLIAM BUMBARGER, deceased and any and all unknown heirs of WILLIAM BUMBARGER, deceased, ALICE McGRAW and any and all unknown heirs of OLIVER McGRAW, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, deceased. their heirs, Personal Representatives, successors and assigns, and any and all unknown heirs of HOWARD BUMBARGER, deceased, any and all unknown heirs of HARRY L. FORCEY a/k/a H. L. FORCEY, and JOHN A. REDDING, JR., As Executor of the Estate of GENEVIEVE REDDING and any and all Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD, Defendants

TO: Any and all unknown heirs of BESSIE LOCKEY, deceased. ROBERT RINEHART and ALICE RINEHART, his wife, ELIZABETH McDONALD and LIONEL McDONALD, her husband, THOMAS BUMBARGER and IONA BUMBARGER, his wife. Any and all unknown heirs of GEORGE HECK, GRACE HECK. Any and all unknown heirs of HARVEY BUMBARGER, Deceased. Any and all unknown heirs of MARY DANNER, deceased. Any and all unknown heirs of LEROY HUBLER and MELINDA HUBLER, Any and all unknown heirs of CLARA ROTHROCK, Deceased. Any and all unknown heirs of EMMA HUBLER, deceased, and any and all unknown heirs of RONALD HUBLER, deceased, RUTH BAMBARGER, Known heir of WILLIAM BUMBARGER, deceased and any and all unknown heirs of WILLIAM BUMBARGER, deceased, ALICE McGRAW and any and all unknown heirs of OLIVER McGRAW, JOHN BUMBARGER, as known heirs of HOWARD BUMBARGER, deceased, their heirs, Personal Representatives, successors and assigns, and any and all unknown heirs of HOWARD BUMBARGER, deceased, any and all unknown heirs of HARRY L. FORCEY a/k/a H. L. FORCEY, and JOHN A. REDDING, JR., As Executor of the Estate of GENEVIEVE REDDING and any and all Unknown heirs of JOHN A. REDDING and THE WHOLE WORLD,

You are hereby notified that Plaintiff has filed an Amended Complaint to Quiet Title against you seeking a claim to quiet title on the property located at RD 1 Box 205-B, West Decatur, PA 16878.

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 Complaint and Notice are served upon you, 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 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 10 PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service, PA Bar Association, P.O. Box 186, Harrisburg, PA 17108. 1-800-692-7375

Bernstein Law Firm, P.C.

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, NOVEMBER 3, 2006 at 10:00 A.M.

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

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

THE FOLLOWING DESCRIBED PROPERTY TO WIT:

The parcel of real estate subject to this action consists of a two-story house on a 100' x 150' lot, known as 100 Baxter Drive f/k/a Swoope Street, Brisbin, Clearfield County, Pennsylvania 16620 and also identified by Clearfield County Tax Map No. 1 M14-327-00011 and is more particularly described as follows:

ALL that certain piece or parcel of land situate in the Borough of Brisbin, the County of Clearfield, and the State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the Southeast corner of Swoope Street, State Route 153, and Scotia Avenue; thence South fifty-three (53) degrees zero (00) minutes ten (10) seconds East along the Southwest side of Swoope Street one hundred (100.0) feet to an iron pin; thence South thirty-six (36) degrees fifty-nine (59) minutes fifty (50) seconds West along the line of land of Andrew J. and Elizabeth C. Gardner one hundred fifty (150.0) feet to an iron pin; thence North fifty-three (53) degrees zero (00) minutes ten (10) seconds West along the Northeast side of Otter alley one hundred (100.0) feet to an iron pin thence North thirty-six (36) degrees fifty-nine (59) minutes fifty (50) seconds East along the Southeast side of Scotia Avenue one hundred fifty (150.0) feet to an iron pin and place of beginning. CONTANINING 15,00 sq. ft. more or less, as shown on survey map prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, PA 16639.

EXCEPTING AND RESERVING such exceptions and reservations as are contained in prior deeds in the chain of title.

BEING the same premises conveyed to Tanya L. Williams by deed dated August 1, 2000 and recorded at Clearfield County Instrument Number 200011434.

SEIZED, taken in execution to be so1 as the property of TANYA L. WILLIAMS A/K/A TANYA L. ZIMMERMAN, at the suit of COUNTY NATIONAL BANK. JUDGMENT NO. 06-379-CD.

Chester A. Hawkins, Sheriff.

ADV: October 13th, 20th, 27th, 2006.

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, NOVEMBER 3, 2006 at 10:00 A.M.

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

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 1 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

COPY

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any & all unknown heirs of BESSIE LOCKEY, Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 2 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT ROBERT RINEHART & ALICE RINEHART, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 3 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT ELIZABETH MCDONALD & LIONEL MCDONALD, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 4 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT THOMAS BUMBARGER & IONA BUMBARGER, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 5 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any and all unknown heirs of GEORGE HECK, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 6 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT GRACE HECK, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 7 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of HARVEY BUMBARGER,Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 8 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of MARY DANNER, Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 9 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unkn. heirs of LEROY & MELINDA HUBLER, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 10 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of CLARA ROTHROCK,Dec., RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 11 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of EMMA HUBLER,Dec., RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 12 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of RONALD HUBLER,Dec., RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 13 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknwn heirs of WILLIAM BUMBARGER,Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 14 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of OLIVER MCGRAW, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 15 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unkwn heirs of HOWARD BUMBARGER,Dec, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 16 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unkn.heirs HARRY L. FORCEY aka, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 17 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased,
ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT Any&all unknown heirs of JOHN A. REDDING, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICE # 18 OF 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

NOW, September 13, 2006 AT 2:25 PM POSTED THE WITHIN AMENDED COMPLAINT TO QUIET TITLE AT THE WHOLE WORLD, RD#1 BOX 205-B, BOGGS TWP., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101915
NO: 05-1913-CD
SERVICES 18
AMENDED COMPLAINT TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, Deceased, ROBERT RINEHARTet al

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BERNSTEIN	37360	180.00
SHERIFF HAWKINS	BERNSTEIN	37360	129.79

Sworn to Before Me This

_____ Day of _____ 2006

_____

So Answers,

Chester A. Hawkins
Sheriff

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:

Alice McGraw
5346 Allport Cutoff
~~Morrisdale, PA 16858~~

5H

COMPLETE THIS SECTION ON DELIVERY

A. Signature: Isabelle Hubler ☐ Agent
X Isabelle Hubler ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery: KK 9-7-06

D. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No
5346 Allport Cutoff
Woodland, PA 16881

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7005 1820 0004 7434 6076

PS Form 3811, February 2004 Domestic Return Receipt F0012702 102595-02-M-1540

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Bernstein Law Firm, P.C.
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

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:

Ruth Bumbarger
1974 Allport Cutoff
Morrisdale, PA 16858

SH

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Pam Bumbarger | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If 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

2. Article Number *(Transfer from service label)* 7005 1820 0004 7434 6069

PS Form 3811, February 2004 Domestic Return Receipt F001242 102595-02-M-1540

UNITED STATES POSTAL SERVICE

ALTOONA PA 160

07 SEP 2005 PM 1

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Bernstein Law Firm, P.C.
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

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 Bumbarger
924 Good Street, #104
Hautzdale, PA 18657

SH

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X John Bum ☐ Agent ☐ Addressee

B. Received by (Printed Name) JOHN BUMBARGER
C. Date of Delivery 9-16-06

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

USPS 19651

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7005 1820 0004 7434 6229

PS Form 3811, February 2004 Domestic Return Receipt FEB12742 102595-02-M-1540

7005 1820 0004 7434 6229

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	$ 3.03
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 7.28

PITTSBURGH PA 5TH AVE ST STA 15219 WINDOW SERVICE
Postmark
SEP 13 2005
USPS

Sent To: John BumBarger
Street, Apt. No., or PO Box No.: 924 Good Street #164
City, State, ZIP+4: Hoetzdale, PA 16651

PS Form 3800, June 2002 — See Reverse for Instructions