05-1913-CD
Natl City Bank vs Bessie Lockey al

National City vs Bessie Lockey et al
2005-1913-CD

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,
Defendant(s),

MOTION TO AMEND CAPTION
NUNC PRO TUNC and ALTERNATE SERVICE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:
LORI A. GIBSON, ESQUIRE
PA ID#68013
DEBORAH R. ERBSTEIN, ESQUIRE
PA ID#86470
Bernstein Law Firm, P.C.
Firm #718
2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100
BERNSTEIN FILE NO. F0012742

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MAY 05 2006
William A. Shaw
Prothonotary/Clerk of Courts

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.

MOTION TO AMEND CAPTION NUNC PRO TUNC
AND FOR ALTERNATE SERVICE

AND NOW, comes Plaintiff, National City Bank of Pennsylvania (hereinafter "Plaintiff"), by and through its counsel, the Bernstein Law Firm, P.C., and prays this Honorable Court as follows:

1. Plaintiff is a corporation having its business located at 3232 Newmark Drive, Miamisburg, OH 45342.

2. By Deed dated May 14, 1949, certain rights and interests in the subject property were transferred to Harvey and Sylvia Baumbarger, husband and wife, as tenants by the entireties. A copy of Said Deed is attached hereto, marked as Exhibit "1" and made a part hereof.

3. Contained within said Deed, certain exceptions and reservations, were granted to the Executors, Administrators and Trustees of the Estate of Thomas H. Forcey, their heirs, executors and/or assigns as to the mineral rights to the subject property.

4. The within action was commenced by the filing of a Complaint in Quiet Title on December 8, 2005, against the above-named individuals, who are believed to be the heirs, assigns, executors or otherwise of the above-stated Grantees.

5. The Plaintiff attempted to serve each of the Defendants, above-named, at their last known addresses. The Sheriff of Clearfield County made an executed return of service of the Complaint in Quiet Title as to Defendants, John H. Bumbarger, Ruth Bumbarger and Alice McGraw on December 21, 2005. True and correct copies of said Sheriff Returns are attached hereto, marked as Exhibit "2" and made a part hereof.

6. The Sheriff of Clearfield County made unexecuted return of service as to Defendants, Oliver McGraw, Genevieve Redding, John Redding, George Heck, Leroy Hubler, Melinda Hubler and Harry Forcey a/k/a H.L. Forcey, stating that all are deceased. True and correct copies of the Returns of Service are attached hereto, marked as Exhibit "3" and made a part hereof.

7. Plaintiff made inquiry to the Register of Wills office of Clearfield County for estate information as to Defendants, Oliver McGraw, Genevieve Redding, John Redding, George Heck, Leroy Hubler, Melinda Hubler and Harry Forcey a/k/a H.L. Forcey, who the Sheriff of Clearfield County, has reported as being deceased.

8. The Register of Wills office of Clearfield County was able to verify an estate opened for Genevieve Redding, only, which named John Redding Jr. as Executor. A copy of the Request for Estate information is attached hereto, marked as Exhibit "4" and made a part hereof.

9. The Sheriff of Clearfield County made unexecuted returns of service as to Defendants, Iona Baumbarger, Thomas Bumbarger, Elizabeth McDonald, Lionel McDonald, Grace Heck and A.R. Chase stating that their whereabouts are unknown. True and correct copies of said returns are attached hereto, marked Exhibit "5" and made a part hereof.

10. As specified in the aforementioned Deed dated May 17, 1949, the last known whereabouts of Defendants, Robert Rinehart and Alice Rinehart, is in Baltimore, Maryland, but the Plaintiff is without any more specific information or address.

11. Plaintiff made inquiry through the Social Security death index for more information regarding Defendants, Robert Rinehart and Alice Rinehart and believes that the said Defendants may be deceased, but due to the limited amount of personal information available to the Plaintiff, it is unable to verify with certainty whether the said Defendants are living or deceased.

12. Plaintiff attempted an internet search for information as to the whereabouts of the Defendants, Iona Baumbarger, Thomas Bumbarger, Elizabeth McDonald, Lionel McDonald, Grace Heck and A.R. Chase, however, Plaintiff was unable to locate or confirm the current whereabouts of these Defendants.

13. Plaintiff searched newspaper obituaries for various counties and in several states in an effort to locate the aforementioned Defendants whose whereabouts are unknown, however, Plaintiff was unable to locate any additional information regarding their whereabouts.

14. After reasonable investigation, Plaintiff is unaware of the existence, names and/or location of any additional heirs of the named decedents or the location of the aforementioned Defendants whose whereabouts are unknown.

15. Therefore, Plaintiff must amend its caption to remove the named Defendants who are now believed to be deceased, Oliver McGraw, Genevieve Redding, John A. Redding, George Heck, Leroy Hubler, Melinda Hubler and Harry Forcey a/k/a H.L. Forcey and add any and all unknown heirs of Oliver McGraw, John A. Redding, Jr., as Executor of the Estate of Genevieve Redding, any and all unknown heirs of John A. Redding, Jr., any and all unknown heirs of George Heck, any and all unknown heirs of Leroy Hubler and Melinda Hubler, and any and all unknown heirs of Harry Forcey a/k/a H.L. Forcey.

16. It is the policy of Pennsylvania Rule of Civil Procedure No. 1033 to allow the amendment of pleadings when justice so requires.

17. Furthermore, Plaintiff does not have any way to effect personal service on Defendants, Iona Bumbarger, Thomas Bumbarger, Elizabeth McDonald, Lionel McDonald, Grace Heck, A.R. Chase, Robert Rinehart and Alice Rinehart as their whereabouts are unknown as set forth above.

18. Additionally, Plaintiff is unable to direct the Sheriff in any way to effect personal service on the unknown heirs of Bessie Lockey, any and all unknown heirs of George Heck, any and all unknown heirs of Harvey Bumbarger, any and all unknown heirs of Mary Danner, any and all unknown heirs of Leroy Hubler and Melinda Hubler, any and all unknown heirs of Clara Rothrock, any and all unknown heirs of Emma Hubler, any and all unknown heirs of Ronald Hubler, any and all unknown heirs of William Bumbarger, any and all unknown heirs of Oliver McGraw, any and all unknown heirs of Howard Bumbarger, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey and any and all unknown heirs of John A. Redding.

WHEREFORE, Plaintiff respectfully requests that this Court enter an order amending the caption 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 Melinda Hubler and Leroy Hubler, any and all unknown heirs of Clara Rothrock, deceased, any and all unknown heirs of Emma Hubler, deceased, any and all unknown heirs of Ronald Hubler and Melinda Hubler, Ruth Bumbarger, Known heir of William Bumbarger, deceased, 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, any and all unknown heirs of Howard Bumbarger, deceased, any and all unknown heirs of Harry L. Forcey a/k/a H.L. Forcey, John A. Redding, Jr. as Executor of the Estate of Genevieve Redding, any and all unknown heirs of John A. Redding, and the Whole World."

Plaintiff further requests that this Honorable Court authorize service on Any and All Unknown heirs of Bessie Lockey, deceased, any and all 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, deceased, 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, any and all 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 and the unknown heirs of John A. Redding, deceased, by posting the subject premises and by publication in accordance with PA. R.C.P. 430.

BERNSTEIN LAW FIRM, P.C.

BY: _____
Lori A. Gibson, Esquire
PA ID#68013
Deborah R. Erbstein, Esquire
PA ID#86470
2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

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 1

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.

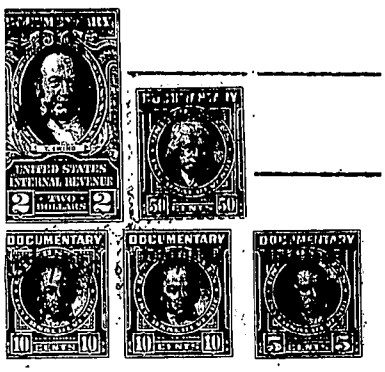
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumbarger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

32 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

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.

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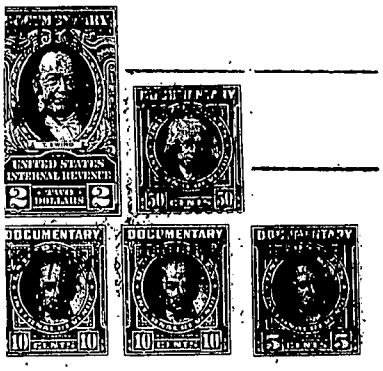
Sealed and Delivered
in the presence of



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. Silberblatt
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of May, 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. 1, 1951

404-484

COUNTY OF Linn : ss:

On this the 5th day of July, 1949, before me, Gloria Wyninegar the undersigned officer, personally appeared EMMA HUBLER and ROLAND HUBLER, 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.

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

-7-

CERTIFICATE

ON, }
inn. } ss.

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

Gloria Wyninegar

ed to the certificate or proof of acknowledgment of the annexed instrument, and therein writ- taking such proof or acknowledgment a Notary Public in and for said County, duly commis- uthorized by law to take the same; and full faith and credit are due to all his official acts as nd; I do further certify that I am well acquainted with the handwriting of said Notary Public e signature to said certificate, or proof of acknowledgment, is genuine; and that said instru- 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 19 49

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

TATE OF OREGON :
: SS:
OUNTY OF Linn:

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

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

Margaret Christian (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. 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 464 PAGE 486

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 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 :
COUNTY OF Balto. : SS:

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 THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICE # 8 OF 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

NOW, December 21, 2005 AT 10:30 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON HARVEY BUMBARGER DEFENDANT AT ALLPORT CUTOFF, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO HARVEY BUMBARGER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

EXHIBIT 2

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICE # 13 OF 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

NOW, December 21, 2005 AT 10:28 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON RUTH BUMBARGER DEFENDANT AT 1974 ALLPORT CUTOFF, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RUTH BUMBARGER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICE # 14 OF 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

NOW, December 21, 2005 AT 10:40 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON ALICE MCGRAW DEFENDANT AT 5346 ALLPORT CUTOFF, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ALICE MCGRAW, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 15 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO OLIVER MCGRAW, DEFENDANT. "DECEASED".

SERVED BY: /

EXHIBIT 3

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Field	Value	Records	Results
Last Name	MCGRAW	6399	6399
First Name	OLIVER	46309	4

Viewing **1-4** of **4**

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Orde Recor
OLIVER J MCGRAW	11 Jan 1921	30 May 1999 (V)	16881 (Woodland, Clearfield, PA)	(none specified)	[illegible]	Pennsylvania	SS-5 Letter Add Post-em Search Ancestry.com	
OLIVER MCGRAW	14 Feb 1875	Jun 1977	47330 (Centerville, Wayne, IN)	47374 (Richmond, Wayne, IN)	[illegible]	Indiana	SS-5 Letter Add Post-em Search Ancestry.com	
OLIVER MCGRAW	08 Apr 1890	Jun 1963	(Michigan)	(none specified)	[illegible]	Michigan	SS-5 Letter Add Post-em Search Ancestry.com	
OLIVER MCGRAW	26 Nov 1915	Mar 1986	35209 (Birmingham, Jefferson, AL)	(none specified)	[illegible]	Alabama	SS-5 Letter Add Post-em Search Ancestry.com	

Viewing **1-4** of **4**

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 19 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO GENEVIEVE REDDING, DEFENDANT. UNKNOWN.

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Field	Value	Records	Results
Last Name	REDDING	4921	4921
First Name	GENEVIEVE	59095	3

Viewing **1-3 of 3**

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
GENEVIEVE L REDDING	23 Oct 1932	28 Jan 1994	85208 (Mesa, Maricopa, AZ)	(none specified)	[illegible]	New York	SS-5 Letter Add Post-em Search Ancestry.com	🛒
GENEVIEVE REDDING	16 Feb 1898	Nov 1979	16666 (Osceola Mills, Clearfield, PA)	(none specified)	[illegible]	Pennsylvania	SS-5 Letter Add Post-em Search Ancestry.com	🛒
GENEVIEVE REDDING	27 May 1916	06 Jan 1994	60005 (Arlington Heights, Cook, IL)	(none specified)	518	Illinois	SS-5 Letter Add Post-em Search Ancestry.com	🛒

Viewing **1-3 of 3**

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 18 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO JOHN A. REDDING, DEFENDANT. UNKNOWN.

SERVED BY: /

208-01-9143

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Field	Value	Records	Results
SSN	[redacted]	1	
Last Name	REDDING		Scanned
First Name	JOHN		Scanned

Viewing **1-1** of **1**

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
JOHN REDDING	09 Sep 1896	Feb 1971	16666 (Osceola Mills, Clearfield, PA)	(none specified)	[redacted]	Pennsylvania	SS-5 Letter Add Post-em Search Ancestry.com	

Viewing **1-1** of **1**

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.

Last name REDDING Exact
First Name JOHN
Middle Name (initial)

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 7 of 19 Services

Sheriff Docket # **101068**

Case #

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

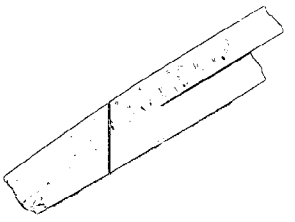
ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT SERVED, TIME EXPIRED" AS TO GEORGE HECK, DEFENDANT. UNABLE TO DEPUTIZE WITHOUT BETTER ADDRESS

SERVED BY: CUMBERLAND /



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Field	Value	Records	Results
SSN	[redacted]	1	
Last Name	HECK		Scanned
First Name	GEORGE		Scanned

Viewing **1-1** of **1**

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
GEORGE L HECK	10 Aug 1924	25 Feb 2005 (V)	16830 (Clearfield, Clearfield, PA)	(none specified)	[redacted]	Pennsylvania	SS-5 Letter Add Post-em Search Ancestry.com	

Viewing **1-1** of **1**

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.

Last name HECK Exact
First Name GEORGE
Middle Name (initial)

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 11 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO LEROY HUBLER, DEFENDANT. "DECEASED".

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Field	Value	Records	Results
Last Name	HUBLER	865	865
First Name	LEROY	96355	2

Viewing **1-2** of **2**

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
LEROY HUBLER	31 Jul 1923	Jul 1986	33126 (Miami, Miami-dade, FL)	33126 (Miami, Miami-dade, FL)	[illegible]33	New Jersey	SS-5 Letter Add Post-em Search Ancestry.com	
LEROY HUBLER	09 Jul 1901	Jul 1979	08105 (Camden, Camden, NJ)	(none specified)	[illegible]	New Jersey	SS-5 Letter Add Post-em Search Ancestry.com	

Viewing **1-2** of **2**

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.

Last name HUBLER Exact

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 10 of 19 Services

Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA

Case # 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO MELINDA HUBLER, DEFENDANT. "DECEASED".

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Field	Value	Records	Results
Last Name	HUBLER	865	865
First Name	MELINDA	2795	2

Viewing **1-2** of **2**

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
MELINDA HUBLER	13 Aug 1910	03 Jun 2002 (V)	97345 (Foster, Linn, OR)	(none specified)	[redacted]	Pennsylvania	SS-5 Letter Add Post-em Search Ancestry.com	
MELINDA HUBLER	11 Jun 1960	07 Nov 1992	39532 (Biloxi, Harrison, MS)	(none specified)	[redacted]	Mississippi	SS-5 Letter Add Post-em Search Ancestry.com	

Viewing **1-2** of **2**

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.

Last name HUBLER Exact

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 16 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO HARRY L. FORCEY AKA H.L. FORCEY, DEFENDANT. "DECEASED".

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Field	Value	Records	Results
Last Name	FORCEY	112	112
First Name	HARRY		Scanned

Viewing 1-1 of 1

Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
HARRY FORCEY	22 Sep 1926	16 Feb 1993	08015 (Browns Mills, Burlington, NJ)	(none specified)	[redacted]	Pennsylvania	SS-5 Letter Add Post-em Search Ancestry.com	

Viewing 1-1 of 1

(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.

Last name FORCEY Exact
First Name HARRY
Middle Name (initial)
SSN

JOSEPH J. BERNSTEIN (PA, FL)
ROBERT S. BERNSTEIN (PA, FL, WV, NY)
NICHOLAS D. KRAWEC (PA, NC, OH)
LORI A. GIBSON (PA)
KIRK B. BURKLEY (PA)

BERNSTEIN
LAW FIRM, P.C.
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MARLENE J. BERNSTEIN (PA, FL)
CHARLES E. BOBINIS (PA, WV)
DEBORAH R. ERBSTEIN(PA)
CHRISTOPHER M. BOBACK (PA)
PETER J. ASHCROFT(PA)

(STATES OF ADMISSION)

Register of Wills – Clearfield County
814-765-6089
Attn: Cindy

RE: Estate checks

Dear Cindy,

Per our conversation I have listed the parties to whom I would like estate checks. Any information that you can provide as to the responsible parties would be appreciated.

You can return this letter to our fax number 412-456-8135. Thank you for your help.

Susan Harding

Deceased	DOD	Estate	Administrator name	Address
Oliver McGraw	5/30/99 Woodland	No Probate - Inheritance Tax Return only on Joint Assets # 1999-496		
Genevieve Redding	11/20/79 11/79 Osceola Mills	# 79-487 Attorney: Patrick J. Redding 239 Lincoln Way East Chambersburg, PA 17201	Executor: John A. Redding, Jr.	204 Glen St. Chambersburg PA 1720
John A. Redding	2/14/71 2/71 Osceola Mills	# 71-218 No Probate	Will for Record + Inheritance Tax Return for interest in Real Estate in Clfd County	
Clara Rothrock	7/76 Morrisdale	No Estate		
George Heck	2/25/05 Clearfield	No Estate		

EXHIBIT 4

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 5 of 19 Services

Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA

Case # 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO IONA BUMBARGER, DEFENDANT. UNKNOWN.

SERVED BY: /

EXHIBIT 5

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 4 of 19 Services

Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA

Case # 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO THOMAS BUMBARGER, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO ELIZABETH MCDONALD, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 3 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO LIONEL MCDONALD, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 6 of 19 Services Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA Case #

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT SERVED, TIME EXPIRED" AS TO GRACE HECK, DEFENDANT. UNABLE TO DEPUTIZE WITHOUT BETTER ADDRESS

SERVED BY: CUMBERLAND /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 17 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO A.R. CHASE, DEFENDANT. UNKNOWN.

SERVED BY: /

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,

CERTIFICATE OF SERVICE

I, Deborah R. Erbstein, Esquire, do hereby certify that a true and correct copy of the foregoing Motion was served upon the following parties on **May 1, 2006** by first class U.S. Mail postage pre-paid:

SEE EXHIBIT "A" ATTACHED HERETO

LORI A. GIBSON, ESQUIRE
DEBORAH R. ERBSTEIN, ESQUIRE

EXHIBIT "A" SERVICE LIST

JOHN H. BAUMBARGER
ALLPORT CUTOFF
MORRISDALE, PA 16858

RUTH BUMBARGER
1974 ALLPORT CUTOFF
MORRISDALE, PA 16858

ALICE MCGRAW
5346 ALLPORT CUTOFF
MORRISDALE, PA 16858

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, ROBERT RINEHART AND ALICE RINEHART, ELIZABETH MCDONALD AND LIONEL MCDONALD, THOMAS BUMBARGER AND IONA BUMBARGER, GRACE HECK, THE UNKNOWN HEIRS OF GEORGE HECK, ALL UNKNOWN HEIRS OF HARVEY BUMBARGER, ANY UNKNOWN HEIRS OF MARY DANNER, THE UNKNOWN HEIRS OF MELINDA HUBLER AND LEROY HUBLER, ALL UNKNOWN HEIRS OF CLARA ROTHROCK, ALL UNKNOWN HEIRS OF EMMA HUBLER, ALL UNKNOWN HEIRS OF WILLIAM BUMBARGER, ALL UNKNOWN HEIRS OF OLIVER MCGRAW, ALL UNKNOWN HEIRS OF HOWARD BUMBARGER, ALL UNKNOWN HEIRS OF HARRY L. FORCEY A/K/A H.L. FORCEY, A.R. CHASE AND THE UNKNOWN HEIRS OF JOHN A. REDDING
RD #1, BOX 205-B
WEST DECATUR, PA 16878

Caption Change to read

any and all unknown heirs
of George Heck
Grace Heck
Leroy Mabler
Melinda Mabler
Oliver McGraw
Mary L. Fortney aka M.L. Fortney
John A Reading Jr.
Genevieve Redding

FILED
MAY 05 2006
William A. Shaw
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

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.

FILED 1cc Atty Erbstein
01/11:30BL
MAY 10 2006
William A. Shaw
Prothonotary/Clerk of Courts

ORDER OF COURT AMENDING CAPTION
NUNC PRO TUNC

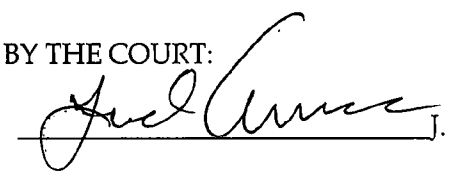
AND NOW, to-wit, this 9 day of May, 2006, upon consideration of the foregoing Motion to Amend Caption Nunc Pro Tunc and for Alternate Service, it is hereby ORDERED ADJUDGED AND DECREED that the Motion is granted and the Complaint Quiet Title and all subsequent filings are amended to read "National City 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:



J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

vs.

CIVIL DIVISION

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 19:32 BL
JUN 12 2006 2I Compl.
Reinstated to Sheff
William A. Shaw
Prothonotary/Clerk of Courts (GK)

PRAECIPE TO REINSTATE 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 COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the 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
m/11:06 BOX
JUL 17 2006
William A. Shaw
Prothonotary/Clerk of Courts

PROOF OF PUBLICATION
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

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 30th day of June 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 June 30, 2006, Vol. 18 No. 26. 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.

Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

Berstein Law Firm
Suite 2200 Gulf Tower
Pittsburgh PA 15219-1900

CLEARFIELD COUNTY LEGAL JOURNAL
PO BOX 521
CLEARFIELD PA 16830

INVOICE

Action to Quiet Title
National City vs. Bessie Lockey etc. $117.00

quiet title on the property located at RD 1 Box 205-B, West Decatur, PA 16878.

NOTICE TO DEFEND

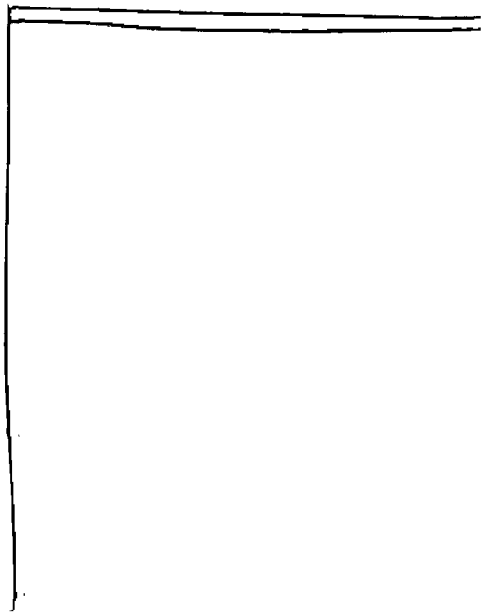
You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, by entering a written appearance personally or by attorney and filing in writing with the Court your 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.

Bernstein-Law Firm, Suite 2200 Gulf Tower, Pittsburgh, Pennsylvania 15219-1900. 800-927-3197.



personally or by attorney and filing in writing with the Court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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

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

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 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 action 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.

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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

PRIVATE TA

Notice is hereby given of the proposed sale by following properties:

CLAIM #	OWNER
95-9233	Van Epps, Robert & Marjorie M.
97-7479	Bon, Daniel J.
97-8204	Johnson, James E. & Helen L.
00-8436	Fullington, Vera
95-7492	Fink, David P.
96-9395	Stofcheck, Robert & Betty L.
94-7795	McCluskey, Thomas
94-7328	Esapovich, Peter & Mary L.
00-8865	Hamilton, Terry
02-8434	DADC Inc.
00-8263	Depesa, Gerald C.
03-9884	Miller, Andrew & Elsie M.
99-8669	Johns, Dennis M. & Kevin C. Johns
97-7916	Garcia, Raleigh A. & Jeanne C.
96-8177	Lastoria, Michael & Kevin R. Lastoria
97-8257	Kiggins, Donald J. & Kathleen M.
01-8063	Cook, William E. & Mildred G.
00-9202	Kulikowski, Richard
01-7665	Adams, Vernon G. & Debra E.
95-8012	McLaughlin, Rosea
02-9536	Leone, Richard & Robin
03-11250	Zacchetti, Sophie B.
95-9272	Wargo, Alexander & Janet V.
95-9294	Whitman, W. E. & Shirley L. Crosson

L98 Sec 7A	128-C02-07A-00098
L100 Sec7A	128-C02-07A-00100
L101 Sec7A	128-C02-07A-00101
L104 Sec7A	128-C02-07A-00104
L106 Sec7A	128-C02-07A-00106
L109 Sec7B	128-C02-07B-00109
L114 Sec7B	128-C02-07B-00114
L118 Sec7B	128-C02-07B-00118
L119 Sec7B	128-C02-07B-00119
L133 Sec7B	128-C02-07B-00133
L135 Sec7B	128-C02-07B-00135
L141 Sec7B	128-C02-07B-00141
L144 Sec7B	128-C02-07B-00144
L145 Sec7B	128-C02-07B-00145
L147 Sec7B	128-C02-07B-00147

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 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 F. 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 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 action 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

6-26-1t

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 26th day of June, 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 June 26, 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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FILED
JUL 17 2006
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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 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.

CIVIL DIVISION

Civil Action No. 05-1913 CD

FILED NOCC
M 11:35 am
JAN 31 2007

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE TO SETTLE, DISCONTINUE AND END AS TO JOHN A. REDDING JR. AS EXECUTOR OF THE ESTATE OF JOHN A. REDDING AND GENEVIEVE REDDING AND ANY AND ALL UNKNOWN HEIRS OF JOHN A. REDDING, ONLY

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.

de001807V001

CERTIFICATE OF SERVICE

I, Deborah R. Erbstein, Esquire, hereby certify that a true and correct copy of the foregoing Praecipe to Settle, Discontinue and End, as to John A. Redding Jr. as Executor of the Estate of John A. Redding and Genevieve Redding, husband and wife and the Unknown heirs of John A. Redding, only was served by regular U. S. Mail, postage prepaid, this 27th day of January, 2007, **addressed as follows:**

Patrick J. Redding, Esquire
Counsel for John A. Redding, Jr., As Executor of the Estate of Genevieve Redding
and any and all Unknown heirs of John A. Redding
Redding Law Offices
19 North Main Street
Memorial Square
Chambersburg, PA 17201

BY: _____
Deborah R. Erbstein, Esquire

de001807V001

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

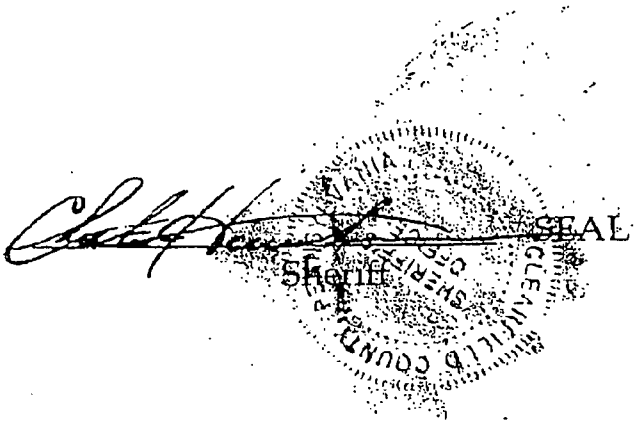
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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

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

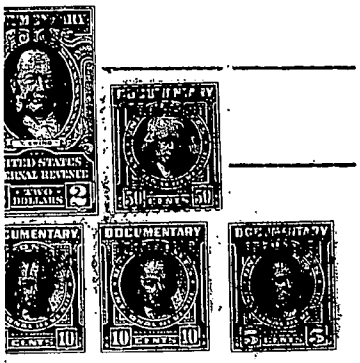
Mary Danner (SEAL)
Mary Danner

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

Monessen, 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 2/26/52 (SEAL)

-7-

CERTIFICATE

I, } 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 12-2-51

CERTIFICATE

Book 404 Page 485

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.

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 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 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
/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 HUMBARGER 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 Howard Humberger and Harvey Humberger, of the Township of Bell, 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 Bell, 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 93 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 Merrisdale, 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 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, party of the first part, and JOHN A. REDDING and THEODORE BANEY, of Clearfield, Pennsylvania, parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Two Hundred ($200.00) Dollars, lawful money of the United States of America, to them well and truly paid by the said parties of the second part, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said parties of the second part, their heirs and assigns,

ALL that certain tract of land situate in Bigler Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post corner of land of Snoop McLaren Est. and land of Ralph Bloom; thence by land of Ralph Bloom, North 75° East 70.4 perches to a post; thence by land of Ralph Bloom, North 15° West 15 perches to a post; thence by land of Ralph Bloom, South 75° West 70.4 perches to a post; thence by land of Snoop McLaren Est., South 15° East 15 perches to the place of beginning. CONTAINING 6.6 acres and allowance.

BEING the same tract of land which was sold to the County of Clearfield at Treasurer's Sale held January 25, 1940, and which was not redeemed within the time allowed by law.

TOGETHER with all and singular the buildings, improvements, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said party of the first part, as well in law as in equity, or otherwise howsoever, of, in and to the same and every part thereof.

TO HAVE AND TO HOLD the said tract of land, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said parties of the second part, their heirs and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs and assigns, forever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed by its proper officers, and its corporate seal to be hereunto affixed, the day and year first above written.

ATTEST

Read B. Read (Corp. 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 the 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. 16 A. D. 1943 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
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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

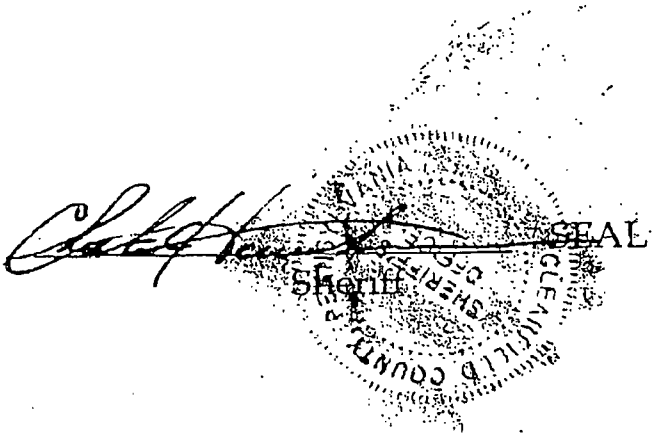
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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.

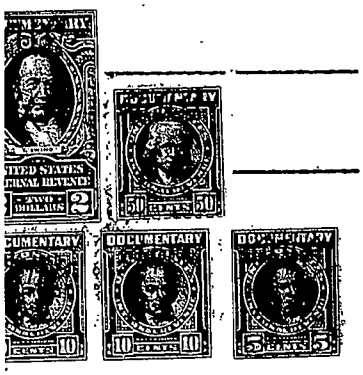
404-4

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

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

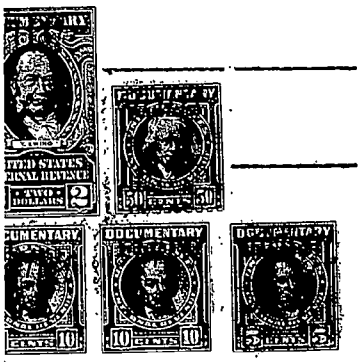
Mary Danner (SEAL)
Mary Danner

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 28th 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.

NOTARIAL SEAL NOTARY PUBLIC STATE OF OREGON

Gloria Wynnegar
~~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 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 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, }
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, 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 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 Perm (SEAL)
Isabel Perm (SEAL)

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

STATE OF PENNSYLVANIA
COUNTY OF CENTRE ss

On this, thirth day of February 1944, before me E. W. Hancock the undersigned officer, personally appeared Edwin Perm and Isabel Perm, 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)
JOHN REDDING ET AL)
TO)
HOWARD HUMBERGER 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 Howard Humberger and Harvey Humberger, 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 Berry, 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 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____, 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, drill,peet 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

Harriet Mills
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 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 Raney 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 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 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. Hoyt M.M.D.P. 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
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, ELINDA 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 representataives, 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 4cc Atty Redding
m 11:06a 3cc
AUG 16 2006
William A. Shaw
Prothonotary/Clerk of Courts

Defendants

NOTICE TO PLEAD

To: National City Bank of Pennsylvania, by their attorney, Lori A. Gibson, Esuiqre and/or Heidi A. Kordish, Esquire

You are hereby notified to file a written response to the enclosed Preliminary Objections within twenty (20) days from service hereof or a judgment may be entered against you.

Patrick J. Redding, #27765
Attorney for Defendant
John A. Redding, Jr.
Executor of the Estate of
John A. Redding and
Genevieve Redding, his wife

REDDING LAW OFFICE
19 North Main Street
Chambersburg, PA 17201
(717) 267-1440

PRELIMINARY OBJECTIONS TO COMPLAINT FOR QUIET TITLE BY DEFENDANT, JOHN A. REDDING, JR., EXECUTOR OF ESTATE OF JOHN A. REDDING AND GENEVIEVE REDDING, HIS WIFE

NOW COMES the Defendant, John A. Redding, Jr. as executor of the Estate of John A. Redding and Genevieve Redding, husband and wife, by and through his attorney, Patrick J. Redding, Esquire, and sets forth the following Preliminary Objections to Plaintiffs' Complaint as follows:

MOTION FOR A MORE SPECIFIC COMPLAINT

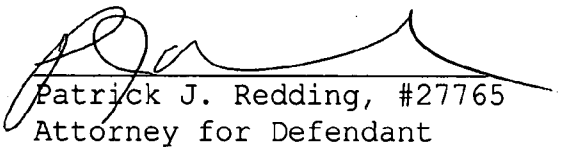
1. Paragraph 24 of the Complaint refers to a transfer of interests from the widow of Theodore A. Heney, deceased, and her husband, Richard Hemphill, which was conveyed to John A. Redding and Genevieve Redding, but fails to include an exhibit in the Complaint evidencing said transfer such that the Defendant, John A. Redding, Jr. can sufficiently review and respond to this averment.

2. Paragraph 25 of the Complaint refers to the referenced mineral rights not specifically conveyed in prior deeds but does not identify what prior deeds are being referred to such that the Defendant, John A. Redding, Jr. can sufficiently review and respond to this averment.

3. Paragraph 26 of the Complaint refers to attempts to correct the transfer of the mineral rights but does not specifically set forth what efforts were made to address the plaintiffs concerns such that the Defendant, John A. Redding, Jr., can sufficiently review and respond to this averment.

WHEREFORE, Defendant requests a more specific Complaint be filed.

Respectfully submitted,



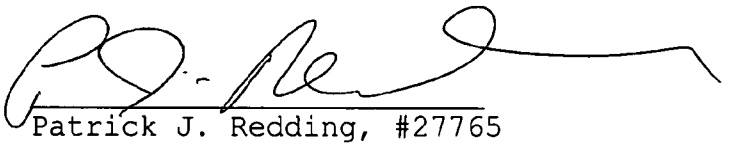
Patrick J. Redding, #27765
Attorney for Defendant
John A. Redding, Jr.
Executor of the Estate of
John A. Redding and
Genevieve Redding, his wife

REDDING LAW OFFICE
19 North Main Street
Chambersburg, PA 17201
(717) 267-1440

CERTIFICATE OF SERVICE

On this 15TH day of August, 2006, I, Patrick J. Redding, Esquire, hereby certifies that I have served the foregoing document by depositing same in the United States First Class Mail, postage prepaid, in Chambersburg, Pennsylvania, to the person and address indicated below:

Lori A. Gibson, Esquire
BERNSTEIN LAW FIRM, P.C.
Suite 2200 Gulf Tower
Pittsburgh, PA 15219



Patrick J. Redding, #27765
Attorney for Defendant
John A. Redding, Jr.
Executor of the Estate of
John A. Redding and
Genevieve Redding, his wife

REDDING LAW OFFICE
19 North Main Street
Chambersburg, PA 17201
(717) 267-1440

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 no cc
m/11:05 BC
SEP 05 2006
William A. Shaw
Prothonotary/Clerk of Courts

AMENDED COMPLAINT TO 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.

October 12, 2006 Document Reinstated/~~Reissued~~ to ~~Sheriff~~/Attorney for service.

~~Deputy~~ Prothonotary

de001676V001

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF PENNSYLVANIA,
Plaintiff,

vs.

CIVIL DIVISION

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.

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

AMENDED COMPLAINT

1. Plaintiff, National City Bank of Pennsylvania is a corporation with offices at 3232 Newmark Drive, Miamisburg, Ohio (hereinafter "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, who is believed to be deceased.

3. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Bessie Lockey, deceased" and all future pleadings should reflect said amendment.

4. 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.

5. 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.

6. 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.

7. Defendant, Grace Heck, is an adult individual and known heirs of Howard Bumbarger, Deceased, whose last known residence was West Fairview, Pennsylvania.

8. Defendant, George Heck was an adult individual and a known heir of Howard Bumbarger, deceased, whose last known residence was West Fairview, Pennsylvania, who is believed to be deceased.

9. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of George Heck, deceased" and all future pleadings should reflect said amendment.

10. 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.

11. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Harvey Bumbarger, deceased" and all future pleadings should reflect said amendment.

12. 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.

13. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an

Order amending the caption to name "Any and All Unknown Heirs of Mary Danner, deceased" and all future pleadings should reflect said amendment.

14. Defendants, Melinda Hubler and Leroy Hubler, wife and husband, were adult individuals and known heirs of Howard Bumbarger, Deceased, whose last known residence was Morrisdale, Clearfield County, Pennsylvania, and who are believed to be deceased.

15. As a result of Plaintiff's belief that the said Defendants are deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Melinda Hubler and Leroy Hubler, deceased" and all future pleadings should reflect said amendment.

16. 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.

17. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Clara Rothrock, deceased" and all future pleadings should reflect said amendment.

18. 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.

19. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Emma Hubler, deceased" and all future pleadings should reflect said amendment.

20. Defendant, Ronald 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.

21. As a result of Plaintiff's belief that the said Defendant is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Ronald Hubler, deceased" and all future pleadings should reflect said amendment.

22. 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.

23. As a result of Plaintiff's belief that there may be unknown heirs of William Bumbarger, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of William Bumbarger, deceased" and all future pleadings should reflect said amendment.

24. Defendants, Alice McGraw and Oliver McGraw, wife and husband, are adult individuals and known heirs of Howard Bumbarger, Deceased, whose

last known residence was 5346 Allport Cutoff, Morrisdale, PA 16858-7610 and/or Bigler, Clearfield County, Pennsylvania.

25. As a result of Plaintiff's belief that Defendant, Oliver McGraw is deceased, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Oliver McGraw, deceased" and all future pleadings should reflect said amendment.

26. Defendant, John Bumbarger, is an adult individual and known heir of Howard Bumbarger, Deceased, whose last known residence was Sweet Home, Oregon and/or Allport Cutoff, Morrisdale, PA 16858-7610.

27. As a result of Plaintiff's belief that many of the named Defendants are deceased and the existence of any heirs unknown, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All Unknown Heirs of Howard Bumbarger, deceased" and all future pleadings should reflect said amendment.

28. 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.

29. As a result of Plaintiff's belief that said Defendant is deceased and the existence of any heirs unknown, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any

and All Unknown Heirs of Harry L. Forcey a/k/a H.L. Forcey, deceased" and all future pleadings should reflect said amendment.

30. Defendants, John A. Redding and Genevieve Redding, husband and wife, were adult individuals whose last known residence is believed to have been, Osceola Mills Borough, Clearfield County, Pennsylvania.

31. As a result of Plaintiff's belief that Defendant, Genevieve Redding, is deceased subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "John A. Redding, Jr. as Executor of the Estate of Genevieve Redding" and all future pleadings should reflect said amendment.

32. As a result of Plaintiff's belief that Defendant, John A. Redding, is deceased subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "Any and All unknown heirs of John A. Redding" and all future pleadings should reflect said amendment.

33. As a result of Plaintiff's belief that many of the named Defendants are deceased and the existence of any heirs unknown, subsequent to the filing of the Complaint, Plaintiff sought and was granted an Order amending the caption to name "the Whole World" and all future pleadings should reflect said amendment.

34. 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. Prior thereto, the Clearfield County Commissioners conveyed title to the Subject Property to Defendants, John A. Redding and Theodore A. Haney, et al., by deed dated August 23, 1943, and recorded August 23, 1943, in Clearfield County, Pennsylvania Deed Book Volume 352, Page 397. A true and correct copy of the Deed is attached hereto, marked as Exhibit "2" and made a part hereof.

21. Thereafter, Defendants, John A. Redding and Genevieve Redding, his wife, and Theodore A. Haney and Ethel Haney, his wife, granted and conveyed all right, title, and interest to the Subject Property, excepting and reserving the oil, gas, and clay rights, to Howard Bumbarger and Harvey Bumbarger, 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 "3" and made a part hereof.

22. 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.

23. Defendants, heirs of 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, other minerals and/or timber to a ***piece of property adjacent to 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 "4" and made a part hereof.

24. In addition to the above, there existed a third tract of land also ***adjacent to the Subject Property***, which as noted herein, was also acquired by Harvey and Sylvia Bumbarger.

25. Defendants, heirs of Howard Bumbarger, eventually acquired ***title in fee to all three (3) tracts of land***, including the Subject Property, with ***certain reservations*** as to the oil, gas and clay rights under the Subject Property, as noted in the exception by deed dated May 17, 1949, and recorded March 27, 1950, in Clearfield County, Pennsylvania Deed Book Volume 404, Page 479. A true and correct copy of the Deed is attached hereto, marked as Exhibit "5" and made a part hereof.

26. Subsequent thereto, all three (3) tracts of land were conveyed by the Bumbargers to Meredith Avery and Beatrice H. Avery, by deed dated September 6, 1950, and recorded in Clearfield County, Pennsylvania Deed Book Volume 408, Page 493. Said conveyance was with ***certain reservations*** as to the oil, gas and clay rights under the Subject Property, and certain timber rights as to all three (3) tracts of land, which comprise the whole property. See Exhibits "6" and "3" attached hereto and made a part hereof.

27. 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. True and correct copies of the respective conveyances are attached hereto, collectively marked as Exhibit "7" and made a part hereof.

26. The failure of the above-referenced, oil, gas, and clay or 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 said mineral rights, did not correct the issue. True and correct copies of the prior quiet title action are attached hereto, collectively marked as Exhibit "8" and made a part hereof.

27. The right to strip mine and to destroy the surface and structures of the Subject Property, as well as the two (2) adjacent tracts of land, continued to exist and continued to be reserved and excepted in subsequent deeds.

28. The subject mineral rights have not been extracted from the Subject Property or the two (2) adjacent tracts of land, and prior grantees of the Subject Property or the two (2) adjacent tracts of land, have not exercised any rights regarding the subject minerals.

29. Nevertheless, the Defendants' rights to these substances still exist in prior deeds of record and create a cloud on the title, as to the Subject Property and the two (2) adjacent tracts of land.

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 subject parcel of land;

(b) that the Plaintiff and its successors and assigns shall hold legal title in the above-described subject 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
Deborah R. Erbstein, 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

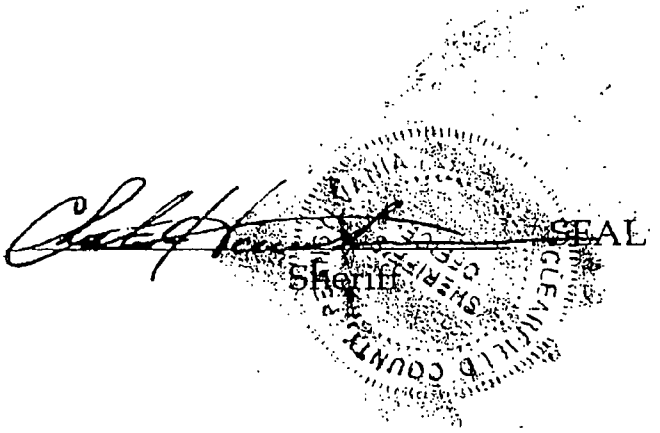
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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

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 13 & 70.4 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 } 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. M. Bogle M. M. D. Recorder

EXHIBIT 2

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 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 REDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
HOWARD BUMBARGER ET AL) Clearfield County, Pennsylvania, and Genevieve G. 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 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 3

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, 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. 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 Haney (seal)
Ethel Haney (seal)

State of Pennsylvania)
County of Clearfield)SS.

On this, the fifteenth day of November, 1945, 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 1946

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 1946

Fentz & Silberblatt
Attorneys for Grantees

Entered of record Feb 15 1946. 10-30 A M
Recorded and Compared by

Marie M. Mullin
Recorder.
M.T.

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 88' 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 4

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

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 5

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.

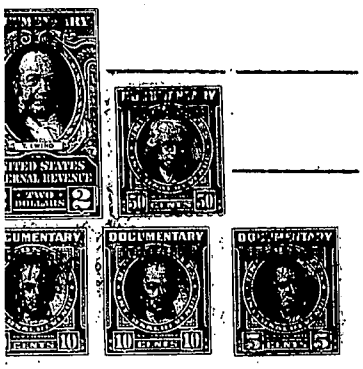
404-4

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

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

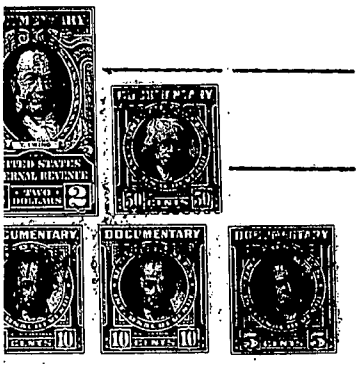
Mary Danner (SEAL)
Mary Danner

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

Morrisdale Pa
Kent F. Gilbert
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 25th day of May, 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 Jan. 1, 1953

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 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 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

CERTIFICATE

Book 464 Page 485

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 :
: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 :
COUNTY OF Cumberland : SS:

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 :
COUNTY OF Balto. : SS:

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 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 27 1950, 11-50 a.m. Weir W. Mullen, Recorder

State of Pennsylvania

County of Clearfield

BOOK 408 PAGE 93

On this, the 6th day of September, 19 50, before me RECORDER OF DEEDS, the undersigned officer, personally appeared Robert J. McIntosh and Alverta McIntosh, his wife, known to me (or satisfactorily proven) to be the person s whose name s 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.

Weir W. Mullen

My Commission Expires First Monday in January 1952

RECORDER OF DEEDS

Title of Officer

I Hereby Certify that the precise residence of the grantee or grantees is City of DuBois, Clearfield County, Penna.

Lovatt, Meiser & Whitsett

Entered of Record Sept. 6 1950, 1:35 P.M. Weir W. Mullen, Recorder

This Deed,

Made the 5th day of September in the year Nineteen hundred and fifty.

Between HARVEY BUMBARGER and SYLVIA BUMBARGER, his wife, of the Township of Graham, County of Clearfield and State of Pennsylvania, hereinafter called Grantor s,

and MEREDITH AVERY and BEATRICE H. AVERY, his wife, as tenants by the entireties, of the Borough of Philipsburg, County of Centre and State of Pennsylvania, hereinafter called Grantee s:

Witnesseth, that in consideration of the sum of One ($1.00) Dollar in hand paid, the receipt whereof is hereby acknowledged, the said grantor s do hereby grant and convey to the said grantee s as tenants by the entireties, ALL that certain tract of land situated in Boggs Township, Clearfield County, Pennsylvania, bounded and described as follows:

Adjoining lands of Andrew Cress and George James, beginning at an old post being the Northeast corner of the said James Land: thence East one hundred thirty-two and one-half (132½) perches to stones; thence South one hundred eighty-three and one-half (183½) perches to post and stones; thence West one hundred thirty-two and one-half (132½) perches to post; thence North one hundred eighty-three and one-half (183½) perches to old post and place of beginning. Containing one Hundred forty-three (143) acres and sixty-one (61) perches and allowance.

16 11

And being a part of a larger survey in the name of Henry Drinker.

And being the same premises which John Redding, and Genevieve O. Redding, his wife, and Theodore Haney and Ethel Haney, his wife, conveyed to Howard Bumbarger and Harvey Bumbarger, by deed dated the 15th day of November 1943 and which deed is recorded in Deed Book 356, page 397. The said Howard Bumbarger died intestate on the 19th day of February 1948. The interest of the said Howard Bumbarger in the above described premises was conveyed to Harvey Bumbarger and Sylvia Bumbarger, his wife, by deed from Bessie Lockey, et al, heirs at law of Howard Bumbarger, dated the 17th day of May 1949, and recorded in Deed Book 404, page 479. This being the first parcel in the deed from Bessie Lockey, et al, to Harvey Bumbarger and Sylvia Bumbarger, his wife, as herein recited.

EXCEPTING AND RESERVING the oil, gas and clay rights, together with 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.

ALSO RESERVING unto the Grantors herein, the right to remove all the present growing timber on the premises for a period of five (5) years from the date hereof, and with the understanding that whatever is not removed within five (5) years from the date hereof, shall revert to the Grantees herein.

The said Harvey Bumbarger and Sylvia Bumbarger, his wife, do hereby convey all their right, title and interest to the premises hereinabove described whether same was acquired by Harvey Bumbarger, or by Harvey Bumbarger and Sylvia Bumbarger, his wife.

And *the said grantor s , do they , the grantor s, their heirs, executors and administrators, shall and will* GENERALLY *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 said grantor s , and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.*

In Witness Whereof, *said grantor s have hereunto set their hand s and seal s the day and year above written.*

SEALED AND DELIVERED IN THE PRESENCE OF

M. L. Gilbert as to both

Harvey Bumbarger (Seal)

Sylvia Bumbarger (Seal)

(Seal)

State of Pennsylvania,
County of CLEARFIELD } ss.

BOOK 408 PAGE 95

On this the 6th day of September, 19 50, before me Millared L. Wilson, Notary Public, the undersigned officer, personally appeared Harvey Bumbarger and Sylvia Bumbarger, 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.

Millared L. Wilson
NOTARY PUBLIC
My Commission Expires ... Term Expires ...

RESIDENCE CERTIFICATE

Sept 6 19 50

I hereby certify that the precise residence of the within named Grantees is Philipsburg, Pa.

Penn & Gilbert Att'ys
Attorneys for Grantees

Entered of Record Sept 6 1950, 2:00 P.M. Weir W. Mullen, Recorder.

This Deed,

Made the 6th day of September in the year of our Lord one thousand nine hundred Fifty

Between ALBERT L. GOOD, and Harriet F. Good, his wife, of the City of Du Bois, Clearfield County, Pennsylvania, of the first part, hereinafter called Grantors, and Joseph Austin Garman and Doris E. Garman, husband and wife, also of the City of Du Bois, County and State aforesaid, of the second part, hereinafter called the Grantees:

Witnesseth, that in consideration of One & No/100 (1.00) Dollars Dollars 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, and to their heirs and assigns forever,

ALL those two certain lots, pieces or parcels of land situate in the Township of Sandy, County of Clearfield, and State of Pennsylvania, bounded and described as follows to wit:-

THIS DEED

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 Bumburger 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.

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, 88.0 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 ceused 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 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 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 or 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.

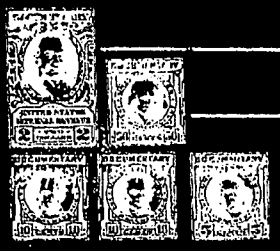
AND BEING the same premises which Harry L. Forcey, Executor and Trustee, and A. R. Chase, Administrator d.b.n.c.t.a. and succeeding Trustee of the Thomas H. Forcey Estate, conveyed to Howard Bumberger by deed dated the 8th day of May 1946 and recorded in Deed Book 375, page 506.

182 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, Clora 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

Walter Danner (SEAL)

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 J. Gilbertson
Atty. for Grantee

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 23rd 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)
[illegible]

My Commission Expires [illegible]

STATE OF OREGON :
COUNTY OF Linn : SS:

On this the 2nd day of [illegible], 1949, before me, Gloria Wyninegar the undersigned officer, personally appeared EMMA HUBLER and ROLAND HUBLER, 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.

Gloria Wyninegar (SEAL)
Notary Public for Oregon
My Commission Expires [illegible]

-7-

CERTIFICATE

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

I, R. M. 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 Gloria Wyninegar whose name is subscribed to the certificate or proof of acknowledgement of the annexed instrument, and therein written, was at the time of taking such proof or acknowledgement 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 acknowledgement, 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 19 49

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

STATE OF OREGON :
COUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Margaret Chittum the undersigned officer, personally appeared JOHN BUMBARGER and EVELYN BUMBARGER, 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.

Margaret Chittum (SEAL)
Notary Public for Oregon
My Commission Expires [illegible]

CERTIFICATE

STATE OF OREGON,
County of Linn. } ss.

I, ... 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 ..... 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 Dec. 1949.

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

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland :SS:

On this the 23rd day of June, 1949, before me, I. 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.

..... (SEAL)
Notary Public

STATE OF PENNSYLVANIA :
COUNTY OF Cumberland : SS:

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 :
COUNTY OF Balto. : SS:

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

State of Maryland, County of Baltimore, to wit:

I, T. Bradley Lelcatte, 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. Bradley Lelcatte, Clerk.

Recorded of Record May 11 1950, 11-50 a.m. Weir W. Mitchell, Secretary

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This Deed

Made the Eighteenth (18th) *day of* July
Nineteen hundred and Seventy-two (1972).

Between MEREDITH AVERY and BEATRICE H. AVERY, his wife, of 519 Presqueisle Street, Philipsburg Borough, Centre County, Pennsylvania (16866), parties of the first part hereinafter referred to as GRANTORS;

A

N

D

RONALD R. LOWDER and EILEEN C. LOWDER, his wife, as tenants by the entirety, (Village of West Decatur),(R.D. #1), Box - 110 A, Boggs Township, Clearfield County, Pennsylvania, (16878), parties of the Second part hereinafter referred to as GRANTEES.

Witnesseth, *That in consideration of*

------ONE THOUSAND EIGHTY-TWO AND 75/100 ($1,082.75)-------*Dollars,*

in hand paid, the receipt whereof is hereby acknowledged, the said grantor s do hereby grant and convey to the said grantee s, their heirs and assigns.

All that certain piece, parcel or tract of land situate in Boggs Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Eastern line of Legislative Route No. 869, which point or place of beginning is at the intersection of the Southern line of lands of Edgar Kephart with the Eastern line of said right-of-way, reputed to be thirty (30') feet from the center line of said Route No. 869; thence along said line of lands of Edgar Kephart and along the line of lands of John Varner South eighty-two degrees forty-nine minutes - (82° 49' E) East one thousand forty-nine and eight tenths (1049.8') feet to an iron post; thence along land of grantors herein South thirty-three degrees forty-nine minutes - (33° 49'W.) West six hundred twenty-nine and four-tenths (629.4') feet to an iron post; thence still along land of grantors herein North fifty-six degrees twelve minutes (56° 12' W.)West, one hundred nineteen and five-tenths (119.5') feet to an iron post; thence still along land of grantors herein South seventy degrees forty-eight minutes (70° 48' W) West, three hundred sixty-two and seven tenths (362.7') feet to a point on said Eastern line of Legislative Route No. 869; thence along said Eastern line of Legislative Route No.869, North nineteen degrees twelve minutes (19° 12' W) West, three hundred thirteen and one-tenth (313.1') feet to a point being the southwest corner of other lands of Grantees

EXHIBIT "2"

herein; thence along said other lands of Grantees herein South eighty-three degrees twenty-two minutes (83°-22' E).. East three hundred seventy-three and no-tenths (373.0') feet to an iron post; thence still along said other lands of Grantees herein, North six degrees thirty-eight (6° 38' E) East-three hundred seventy-four and seven-tenths (374.7') feet to an iron post; thence still along said other lands of Grantees herein North eighty-three degrees twenty-two minutes (83° 22' W.) West five hundred fifty-seven and two-tenths (557.2') feet to a point on said Eastern line of Legislative Route No. 869; thence along said Eastern line of Legislative Route No. 869 North nineteen degrees thirty-three minutes (19° 33' W) West eighteen and one-tenth (18.1') feet to a point and the place of beginning. CONTAINING six and one-tenth (6.1) acres, more or less.

A survey map, wherein the premises hereinabove described are circumscribed in red, is hereunto attached; and, same is thereby made an integral part of this description and deed.

BEING a part of the same premises or a larger tract of land which by their deed dated September 6, 1950, Harvey Bumbarger and Sylvia Bumbarger, his wife, granted and conveyed unto the Grantors hereinbbove first designated, to-wit, Meredith Avery and Beatrice H. Avery, his wife, as tenants by the entireties. Said deed being recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, on September 6, (A.D.), 1950 in Deed Book Volume 408 at Page 92 thereof.

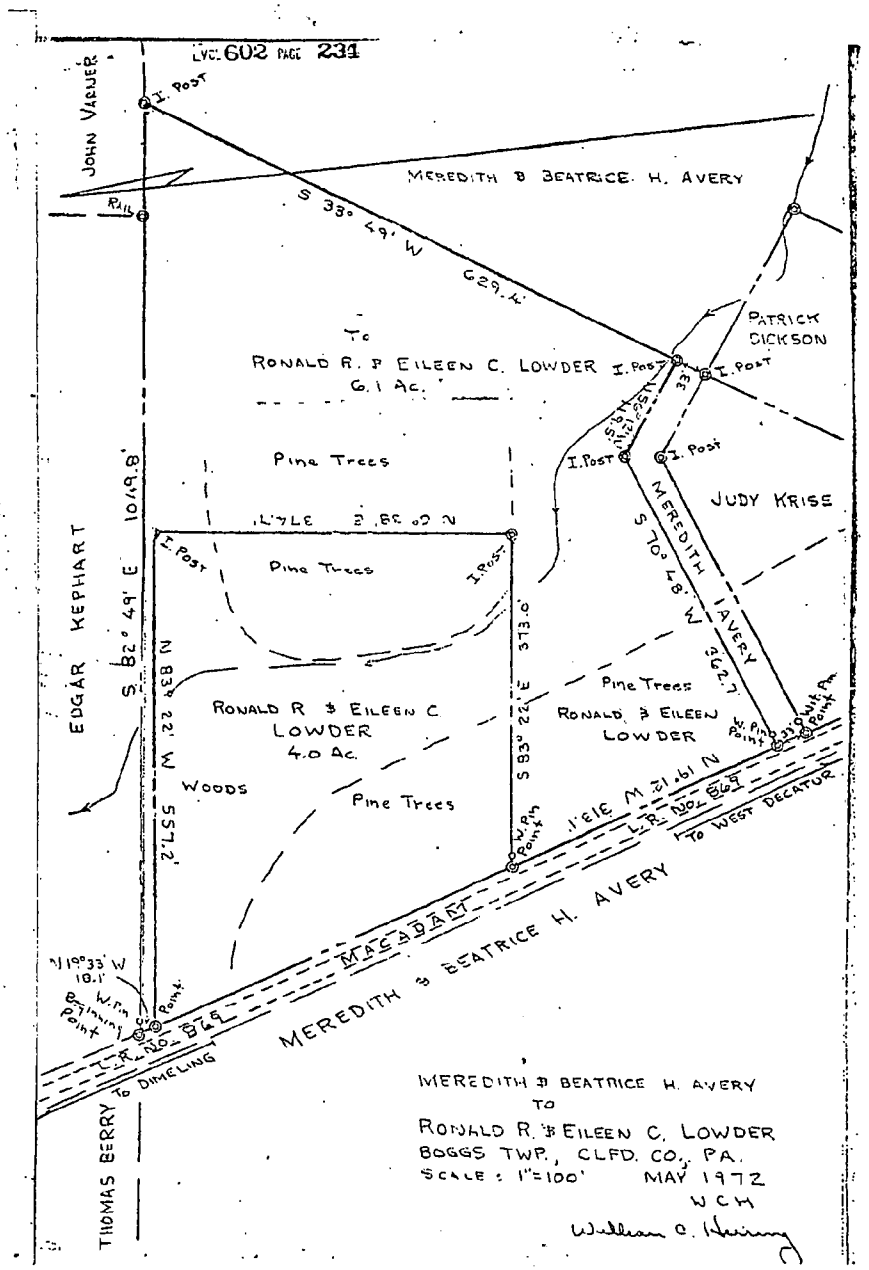
"THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OE SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN; AND THE OWNER OR OWNERS MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL; AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OE THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND."

NOTICE

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

Ronald R. Lowder
(Ronald R. Lowder)

Eileen C. Lowder
(Eileen C. Lowder) (Grantees)


LVOL. 602 PAGE 231
JOHN VARNER
I. Post
MEREDITH & BEATRICE H. AVERY
S 33° 49' W 629.4'
To
RONALD R. & EILEEN C. LOWDER
6.1 Ac.
PATRICK DICKSON
I. Post
I. Post
I. Post
I. Post
JUDY KRISE
MEREDITH AVERY
S 70° 18' W 362.7'
Pine Trees
Pine Trees
Pine Trees
Pine Trees
EDGAR KEPHART
S 82° 49' E 1049.8'
N 83° 22' W 557.2'
S 83° 24' E 373.0'
RONALD R & EILEEN C LOWDER
4.0 Ac.
RONALD & EILEEN LOWDER
WOODS
N 19° 33' W 18.1'
Point of Beginning
L.R. 1102 - 615
MACADAM
N 19° 12' W 313.1'
L.R. 1102 - 615
To WEST DECATUR
To DIMELING
THOMAS BERRY
MEREDITH & BEATRICE H. AVERY
MEREDITH & BEATRICE H. AVERY
TO
RONALD R. & EILEEN C. LOWDER
BOGGS TWP., CLFD. CO., PA.
SCALE: 1"=100' MAY 1972
WCH
William C. Haines

VOL. 602 PAGE 235

And the said grantors do hereby ~~warrant~~ GENERALLY the property hereby conveyed.

In Witness Whereof, said grantors have hereunto set their hand and seal s the day and year first above written.

Signed, Sealed and Delivered
In the Presence of

Connie Hurst (Witness)

Connie Hurst (Witness)

Meredith Avery (Meredith Avery)

Beatrice H. Avery (Beatrice H. Avery)

(Grantors)

Commonwealth of Pennsylvania }
County of Centre } ss:

On this, the 18th day of July 1972 before me, a Notary Public and the undersigned officer, personally appeared Meredith Avery and Beatrice H. Avery, his wife,

known to me (or satisfactorily proven) to be the person s whose name s are 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 Notarial seal.

MY COMMISSION EXPIRES
NOTARY PUBLIC
My Commission Expires March 1, 1975

Don R. Myers
Moshannon Bldg. - Front & Pine Sts.
Philipsburg, Centre Co., Pa. 16866
(Notary Public)

I Hereby Certify, that the precise address of the grantee s herein is

Ronald R. Lowder and
Eileen C. Lowder, his wife,
(Village of West Decatur),
R.D.#1, Box 110-A, Boggs
Twp. Clearfield Co. Pa.

Raquel L. Bisinello
Attorney for Grantees

Entered of Record Aug 7 1972 12:20 Cecil A. Bush Recorder

VOL 1882 PAGE 313 CLEARFIELD COUNTY
ENTERED OF RECORD
TIME 2:30p 10:24-97
BY
FEES 13.50
Karen L. Starck, Recorder

THIS DEED

MADE THIS 23rd day of October, in the year nineteen hundred and ninety-seven.

BETWEEN RONALD R. LOWDER and ELLEN C. LOWDER, Husband and Wife, of R. D. 1, Box 207, West Decatur, Clearfield County, Pennsylvania, GRANTORS AND PARTIES OF THE FIRST PART,

A N D

JOHN R. ENNIS, JR. of R. D. 1, Box 205B, West Decatur, Pennsylvania, GRANTEE AND PARTY OF THE SECOND PART.

WITNESSETH That in consideration 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, their heirs and assigns.

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 #2024. Said point is 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 R. 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 granted and conveyed unto the Grantors herein by deed of Meredith Avery et. ux. dated July 18, 1972, and entered for record in the office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 602, Page 232.

THIS IS A TRANSFER FROM PARENTS TO CHILD'S SPOUSE AND THEREFORE NOT TAXABLE.

VOL 1882 PAGE 314

NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness: _____

This 23 day of OCTOBER 1997

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND, THE INCLUSION OR THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1966, as amended).

AND THE SAID Grantors will specially 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.

_____ (Seal)
Ronald R. Lowder

_____ (SEal)
Eileen C. Lowder

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CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the Grantees herein is as follows:

R.D. 1, Box 205B
West Decatur, Pa., 16878

Attorney or Agent

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CENTRE :

On this, the 23RD day of OCTOBER, 1997, before me, the undersigned officer, personally appeared Ronald R. and Eileen C. Lowder known to me 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 have hereunto set my hand and notarial seal.

VOL 1882 PAGE 316

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

RECORDED in the Office for Recording of Deeds, etc. in and for said County, in Deeds & Records Book No. Page.

WITNESS my hand and official seal this day of , 19 .

Recorder of Deeds

hereby CERTIFY that this document recorded in the Recorder's Office of Clearfield County, Pennsylvania.

Karen L. Starck
Recorder of Deeds

CLEARFIELD COUNTY
ENTERED OF RECORD
TIME 2:38 pm 10:24:97
BY
FEES 13.50
Karen L. Starck, Recorder

Entered of Record Oct 24 10 27 2:38 pm Karen L. Starck, Recorder

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MEREDITH AVERY and
BEATRICE AVERY

-vs-

JOHN A. REDDING and
GENEVIEVE REDDING

No. 192 Feb ~~May~~ Term, 1956

ACTION TO QUIET TITLE

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

The plaintiffs above named complaint of the defendants above named upon a cause of action, the nature and character of which is as follows:

(1). That Meredith Avery and Beatrice Avery, his wife, are residents of Clearfield Borough, Clearfield County, Pennsylvania.

(2). That John A. Redding and Genevieve Redding, are husband and wife, residing in Osceola Mills Borough, Clearfield County, Pennsylvania.

(3). That John A. Redding and Theodore A. Haney purchased at a County Commissioners' Sale, held the 23rd day of April, 1943, a tract of land in fee consisting of 143 acres, located in Boggs Township, Clearfield County, Pennsylvania, which had been sold to the County by the County Treasurer of Clearfield County as the property of Enoch McLarren Estate. The deed from the County Commissioners is dated the 23rd day of August 1943, and is recorded in Clearfield County in Deed Book 352, page 397.

(4). That John A. Redding and his wife, Genevieve, and Theodore Haney and wife, by their deed dated the 15th day of November 1943, conveyed all their right, title and interest they had obtained from the County Commissioners of Clearfield County by deed of the previous August, to Howard Bumbarger and Harvey

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EXHIBIT 18 11

Bumbarger of Graham Township, Clearfield County, Pennsylvania, mistakenly stated in the deed to be Boggs Township, Clearfield County, Pennsylvania.

(5). This deed was duly recorded in Clearfield County on February 15, 1944, in Deed Book 356, page 397, and copy of which is attached heretomarked Plaintiff's Exhibit "A" and made a part hereof.

(6). That the conveyance referred to in the previous paragraph conveyed unto the Bumbargers, all of the property purchased at the Commissioners' Sale, excepting and reserving the oil, gas and clay rights.

(7). That subsequently, Theodore Haney died, his widow remarried and by a deed dated the 19th day of September 1951, Mrs. Haney, now Mrs. Theodore Haney Hemphill, and her husband, Richard Hemphill, made a deed for a one-half interest in said property to John A. Redding and Genevieve Redding, the defendants above named, which deed was recorded September 20, 1951 in Clearfield County in Deed Book 415, page 484, and the consideration therefor being $150.00.

(8). That the deed from Mrs.Hemphill and her husband purports to include the coal as well as the clay, and said deed is incorporated herein by reference.

(9). The property was not assessed in the year 1943, the date of sale, to either John Redding or Howard or Harvey Bumbarger, but for the year 1944, the fee assessment is against Howard and Harvey Bumbarger and the records are marked transferred from John Redding and Theodore Haney.

(10). That the property has continued to be assessed to Howard and Harvey Bumbarger in fee until the year 1951 when the property was transferred to the parties above named as hereinafter mentioned.

(11). That at no time, during the period, were either John A. Redding or Theodore Haney or any assignee of theirs ever assessed with any interest in said property.

(12). That Howard Bumbarger died and the heirs of Howard Bumbarger by deed dated the 17th day of May 1949 and recorded in Clearfield County in Deed Book 404, page 479, conveyed the interest of Howard Bumbarger to his son, Harvey Bumbarger and his son's wife, Sylvia Bumbarger.

(13). That Harvey Bumbarger and Sylvia Bumbarger, his wife, by a deed dated the 6th day of September 1950 and recorded in Clearfield County in Deed Book 408, page 93, conveyed said premises to Meredith Avery and Beatrice Avery, the plaintiffs above named.

(14). That Meredith Avery and Beatrice Avery have been assessed with said property in fee since that date.

(15). That neither of the defendants have ever been assessed with said property until the year 1953 when the defendant, John A. Redding, had the property placed on the assessment records and assessed in the names of he and his wife, said assessment being all mineral rights.

(16). That prior to the purchase of the property by Howard Bumbarger and Harvey Bumbarger, the Bumbargers had the title searched as they desired to open a coal mine on the property, and were advised to complete the purchase from John Redding and Theodore Haney of said property for the purpose of obtaining the coal located thereunder.

(17). That when the deed was prepared and brought to the home of Howard and Harvey Bumbarger in Graham Township, it was discovered that the person drawing the deed had included the coal among the reservations, whereupon Howard Bumbarger and Harvey Bumbarger declined to purchase the property reminding John A.

Redding, the party entrusted with the delivery of the deed, that they wanted the property for the coal located thereon.

(18). Whereupon John A. Redding took his pen and struck out of the reservation the words "all coal", and then delivered the deed and received from Howard Bumbarger, the sum of One Thousand ($1,000.00) in cash for the purchase of said property. The words were stricken from the deed prior to the delivery thereof or the receipt of the purchase price.

(19). That John A. Redding was agent for his brother-in-law, Theodore Haney, in the delivery of the deed or the change made therein, and he and his wife as present owners and purchasers of said property from the widow of Theodore Haney are estopped to deny the authority to make said change in the deed.

(20). That following the recording of the deed by Howard Bumbarger and Harvey Bumbarger, Howard Bumbarger opened a deep mine on said property which he worked for a period of approximately three (3) years which fact was well known to both Theodore Haney and John A. Redding.

(21). That after he ran into a fault on the deep mine, he ceased deep mining, and the Bumbargers then leased the property to the Dugans of Osceola Mills who began stripping on the property, which fact was known to both John A. Redding and Theodore Haney.

(22). That all of the said mining of coal on said property was done during the lifetime of Howard Bumbarger who died prior to May 17, 1949.

(23). That the plaintiffs aver that after their purchase of the property, they went into possession, and in the year 1955 entered into negotiations with the defendants for the right to strip the clay on the property which the plaintiffs concede is not vested in the plaintiffs.

(24). Not being able to reach an agreement, they were told by the defendants that the defendants made a claim for the coal on said property, and examination of the record shows the contents of the deed from the widow of Theodore Haney and the placing on the assessment records of Clearfield County in the names of the defendants and assessment of the coal despite the fact that said property had been assessed in fee to the parties to whom the defendant John A. Redding made a deed for said property or their successors since the purchase of the property.

(25). Wherefore the plaintiffs pray

(a). That the defendants be compelled to remove any cloud or uncertainty as to their title to the coal on said property by removing from the records the assessment of the coal thereon to John A. Redding and Genevieve Redding.

(b). That the validity and effect of the dead dated Nov. 15, 1943 between the defendants and Howard Bumbarger and Harvey Bumbarger be determined.

(c). That the defendants be compelled to make answer on the merits to this complaint under penalty that the failure so to do will be deemed an admission of the validity of the deed of November 15, 1943 as recorded and that the defendants be forever after barred from maintaining any claim for the coal underneath said property based on any claim existing prior to this date.

(d). That the Court shall enter an appropriate decree forever barring the defendants from asserting any right, title or interest in said property inconsistent with the interest of the plaintiffs as set forth in this complaint unless the defendants make answer onthe merits within thirty (30) days after the entry of judgment or

within such further time as the Court may allow or after such notice that the Court may by general or special order direct.

(e). That on failure of the defendant to makeanswer that the Court shall order the assessment officer and the Recorder of Deeds to reform the deed in accordance with the facts as may be found by the Court under this Complaint and shall enter such other decrees as are necessary for granting fit and proper relief including a Judgment against the defendants for all costs in this action.

WHEREFORE, the plaintiffs ask that a Judgment be rendered in their favor and against the defendants in this cause.

BELL, SILBERBLATT & SWOOPE

By _____
Attorneys for Plaintiffs

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

Personally appeared before me, MEREDITH AVERY, who being duly sworn according to law, deposes and states that the facts set forth in the within Petition are true and correct to the best of his knowledge, information and belief.

Sworn to and subscribed before me this 20th day of January, 1956.

Mildred L. Wilson

- Meredith Avery

MILDRED L. WILSON NOTARY PUBLIC
CLEARFIELD CLFD. CO. PA.
MY COMMISSION EXPIRES JANUARY 29th, 1957

206-AT- Quit-Claim Deed
Henry Hall, Inc., Indiana, Pa.

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 O. 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 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 quit-claim 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 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 466.

Excepting and reserving ~~xxxxxxxx~~ 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 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 appaared 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 J. P. (seal)

Justice of the Peace

Title of Officer

My Commission Expires First Monday in January 1944

(BACK OF DEED)

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

Feb 14, 1944

Pentz & Silberblatt

Attorneys for Grantees

COMMONWEALTH OF PENNSYLVANIA :
County of Clearfield :ss

Recorded on this 15th day of Feb. A. D. 1944, in the Recorder's office of said County, in Deed Book Vol. 356, page 397.

Given under my hand and the seal of the said office, the date above written.

Weir W. Mullen, Recorder,

M. R.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MEREDITH AVERY and
BEATRICE AVERY

-vs-

JOHN A. REDDING and
GENEVIEVE REDDING

No. 492 Feb. Term, 1956

ANSWER

The Defendants answer the complaint of the Plaintiffs in the above case as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Denied. It is averred that the conveyance referred to conveyed surface and timber but reserved coal, oil, gas and clay rights with right to remove same.

5. Admitted except that when deed was delivered "coal" was included in the reservation and not stricken out.

6. Admitted except that "coal" was also reserved.

7. Admitted.

8. Admitted.

9. Admitted.

10. Admitted. Except that "for. minerals or surface" is not mentioned in the assessment.

11. Admitted.

12. Admitted.

13. Admitted that the property was so conveyed "reserving the timber," for 5 years and also the oil, gas and clayrights."

14. If this is so Defendants had nothing to do with it.

15. Admitted, only that the record so appears.

16. Defendants have no means of knowing what was in the minds of the Bumbargers but Defendants, Reddings, were advised by the Bumbargers that they desired to purchase the surface and the timber and the deed was made accordingly.

17. Denied. The transaction was completed in the office of Justice of the Peace, Korman of Osceola who drew the deed and the "coal" as well as the oil, gas and clay was reserved

18. Denied. It is averred that "all coal" was not stricken out by John Redding so it is averred that $1200 was paid not $1000 and when the deed was delivered the coal was reserved.

19. It is denied that John Redding was related to Theodore Haney or that he was agent for him or had any power to change a deed executed by Haney or wife or that it did make any changes.

20. That this was an old deepwagon coal mine on the property for possibly fifty years or more and Bumbargers had permission from Haney and Redding to take out deep mine coal for his own use.

21. It is admitted that Dugans of Osceola started stripping on the property but as soon as the Defendants found out about it they called on the Dugans, explained that they owned the coal and the Dugans stopped stripping.

22. Admitted.

23. It is admitted that the Plaintiffs went into possession of the surface and it is averred that the Plaintiffs endeavored to lease from Redding the coal on the property for 5¢ per net ton and the clay for 15¢ per net ton which the Defendants refused to do. The defendants made a counter offer to Defendants for the right to strip the surface to remove both clay and coal of 20¢ per net ton which Plaintiffs refused.

24. The plaintiffs may have been deceived by their predecessors in title or by their search of the records but the plaintiffs were not mis-led by the Defendants as to the title and in search of the records before purchase by the plaintiffs should have put them on inquiry especially when "coal" which was reserved in the original deed was stricken out in deed to Bumbarger.

WHEREFORE, the complaint of the Plaintiffs could not involve the one-half interest formerly held by Theodore Haney and wife even if their allegations were true which Defendants deny. Wherefore the defendants pray that the Plaintiffs' suit be dismissed at their cost.

Attorney for Defendants

STATE OF PENNSYLVANIA :
SS
COUNTY OF CLEARFIELD :

Now comes JOHN A. REDDING, on his own behalf and on behalf of Genevieve Redding, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Answer are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me
this 7th day of March, A.D. 1956.

NOTARY PUBLIC
My Commission Expires May 4 1959
Clearfield, Pa. Clearfield County

FEBRUARY TERM, 1956.

	Bell, Silberblatt & Swoope Jan. 30	Meredith Avery Beatrice Avery 492 John A. Redding Genevieve Redding Pro. Byatty. 4.00 Atty. 3.00 Pro. S.R. Byatty .50 Shff. By Atty. Bell 3.00 Pro. .50 Pro .50 Pro. 2.00 2 cc 15.50	JANUARY 30, 1956, COMPLAINT TO QUIET TITLE filed. Two Copies certified to the Sheriff. NOW, 31 day of January 1956, service accepted, Edward T. Kelly, Atty. for deft. NOW, January 31, 1956, service of the within Action to Quiet Title accepted by Edward T. Kelley, Atty. for the Defendant. So Answers, Charles G. Ammerman, Shff. March 8, 1956, Defendants Answer to Complaint filed by Edward T. Kelley, Attorney for the Defendants. Now, March 8, 1956, Service accepted by copyes, Bell Silberblatt & Swoope, Attorneys for Plaintiffs. May 12, 1956, On Praecipe filed by Bell, Silberblatt, & Swoope, Attorneys, the above case is placed on the list for September Court. DECREE: AND NOW, November 19, 1956, the parties having agreed to the disposition of this case by Stipulation filed as a part of the records of the case, it is ordered and decreed that: (a) The legal force and effect of the deed between the Defendants and Howard Bumbarger and Harvey Bumbarger was to transfer to the Grantees title in fee to the said property with a reservation of the oil, gas and clay rights unto the Defendants 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. (b) That the Defendants shall not have either the coal or the surface of the described tract assessed to them on the tax assessment records of Clearfield County. (c) The Defendants will remove any cloud or uncertainty on the title of the plaintiffs to the tract of land in fee excepting and reserving to the Defendants the oil, gas, and clay rights and the mining rights set forth in the first paragraph of this Decree. (d) That the Defendants are forever barred from assetting any right, title or interest in the said property inconsistent with the Plaintiffs as set forth in paragraph (c) of this Decree. (e) In accordance with the Stipulation of the parties the Defendants shall pay all record costs in this Action. By the Court, John J. Pentz, President Judge. One copy certified to the Register & Recorder.

VERIFICATION

I verify that I am the Attorney for the Plaintiff, National City Bank of Pennsylvania, that said Plaintiff's representative cannot make the verification to this Amended Complaint to Quiet Title because she is outside the Court's Jurisdiction or her verification cannot be obtained within the time allowed for filing the within Amended Complaint; that the facts set forth in the forgoing Amended Complaint are true and correct to the best of my personal knowledge, information, belief and discussion with said Plaintiff's representative and that this verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

as counsel for National City Bank of Pennsylvania

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

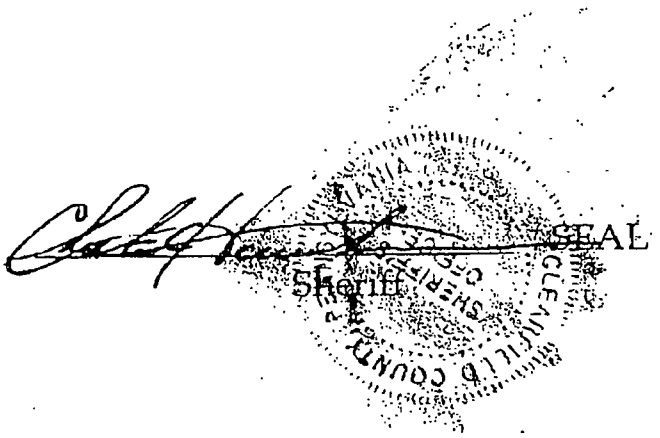
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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

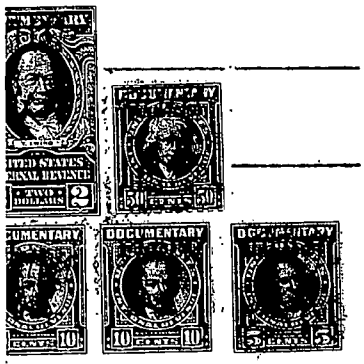
Mary Danner (SEAL)
Mary Danner

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 J. Gilbertbolt
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 28th 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 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.

[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.

NOTARIAL SEAL NOTARY PUBLIC STATE OF OREGON

Gloria Wyninegar
Betty A. Brown (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 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 464 Page 485

CERTIFICATE

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

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.

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. 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 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 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 purposes 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 1949

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
Attorney 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 BUMBARGER ET AL) 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 Bell, 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 Bell, 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 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 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

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 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 } 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.D.P. 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

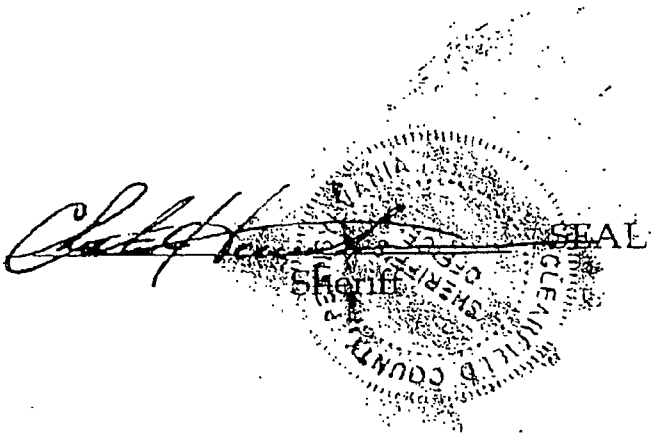
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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.

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

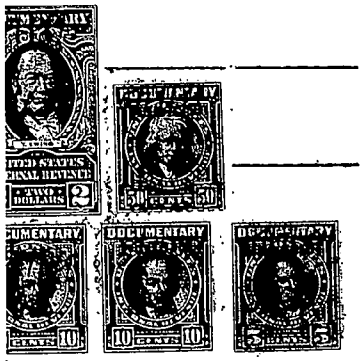
Mary Danner (SEAL)
Mary Danner

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 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. Gilbertbolt
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

COUNTY OF Linn : SS:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally appeared EMMA HUBLER and ROLAND HUBLER, 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.

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 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. 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.

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

2000—4-48.

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.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.P.
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, theFth 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 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 hereinas 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 REDDING ET AL) of our Lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
HOWARD HUMBARGER 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 Howard Humbarger and Harvey Humbarger, 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. 1940 and which is recorded in the office of the Prothonotary of the said County in Docket #136, Page 285.

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

Penna & 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

The 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 72 & 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 } 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. Hoyt M.D.P. 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

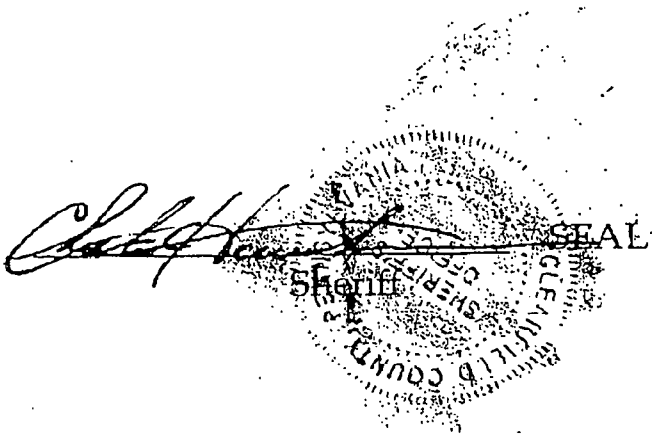
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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

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. 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 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.

[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 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 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. 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. 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 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 1946

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) 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 HUMBARGER ET AL) 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 Bell, 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 Bell, 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 90 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 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, 10:20 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 15 A. & 70 A. and sold as the property of Enoch McLaren's 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. 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
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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

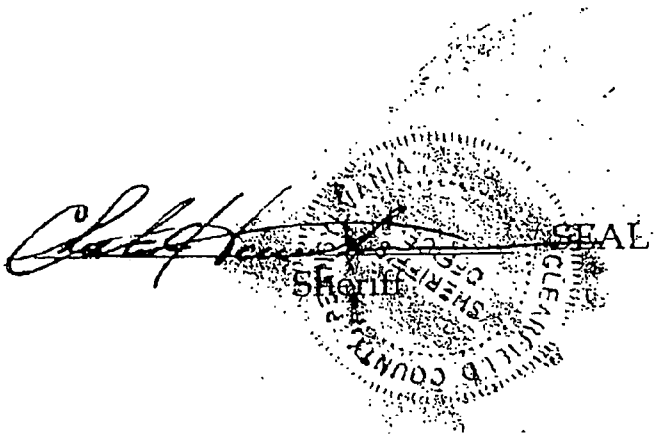
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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-tanths (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 caases.

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. 464-4

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

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.
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 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
My Commission Expires 2/26/52 (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 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 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. 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.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 no-

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 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 REDDING ET AL) of our lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
HOWARD HUMBERGER 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 Howard Humberger and Harvey Humberger, 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. 1942 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

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 13 & 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 } 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 Wm. M. 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

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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	

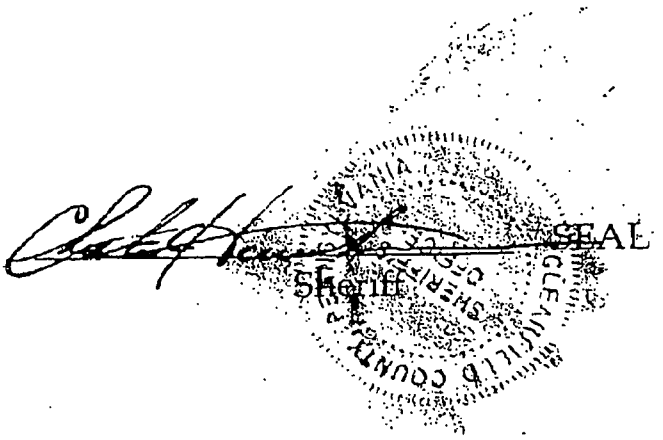
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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 LICNEL 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

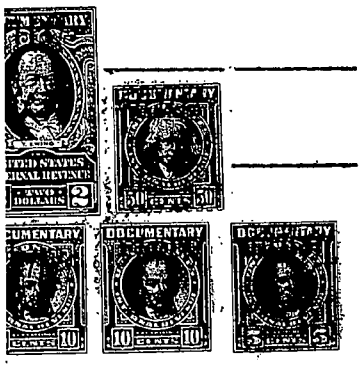
Mary Danner (SEAL)
Mary Danner

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

Mcconnellsburg Pa
Kent J. Gilbert
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)
My Commission Expires 7-26-52

-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 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 :
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 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. 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) 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 BUMBARGER 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 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 72 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. 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 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 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 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 his 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 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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. 30265

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

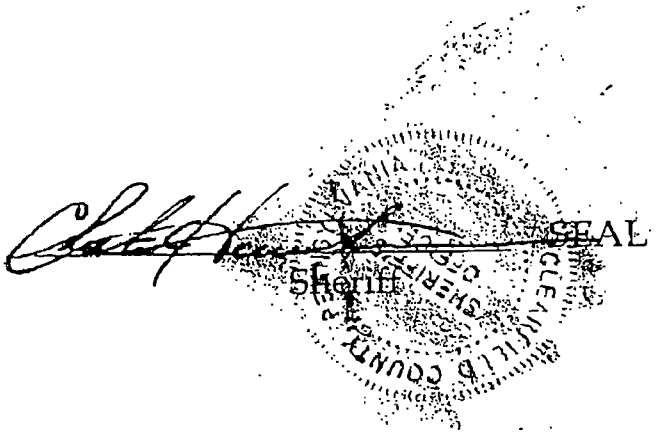
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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

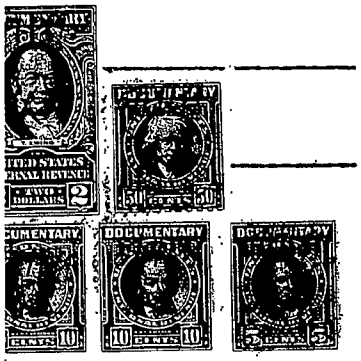
Mary Danner (SEAL)
Mary Danner

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



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. 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.

NOTARIAL SEAL — CLEARFIELD COUNTY — PUBLIC — OCT 25 1949

Mary Turner (SEAL)
Notary Public

My Commission expires Jan. 1, 1951

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
Betty A. Brown (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 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 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. A 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. 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 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 EIGETH 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 hor-

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 Kitoko 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 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 Comission 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/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 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 Bell, 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 Bell, 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, 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

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 Towns- hip of Boggs County and State aforesaid, containing 11 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 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. 18 A. D. 19 43. 11:12 A.M.

Recorded by Geo. M. Hoyt 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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. 30265

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

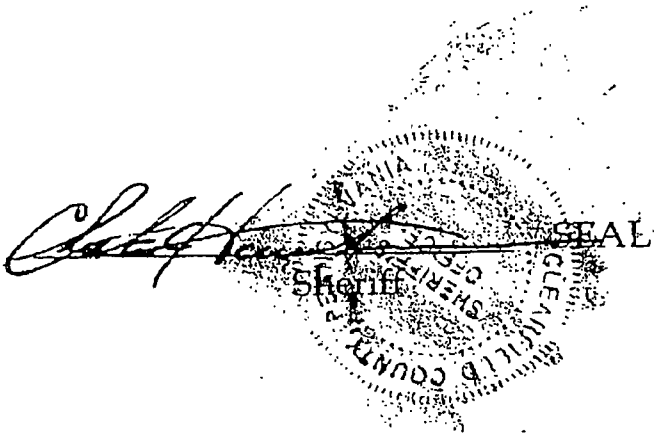
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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.

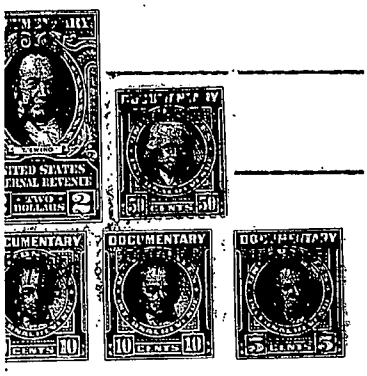
404-48

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

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

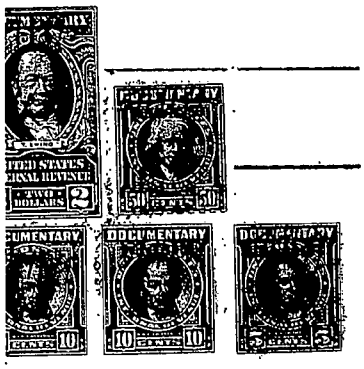
Mary Danner (SEAL)
Mary Danner

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

Moorsdale, 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 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.

NOTARY PUBLIC STATE OF OREGON

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

-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 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. 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 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
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 1946

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 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 Bell, 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 Bell, 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, 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

Penna & Silbernlatt
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 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 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. 15 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Bigler 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

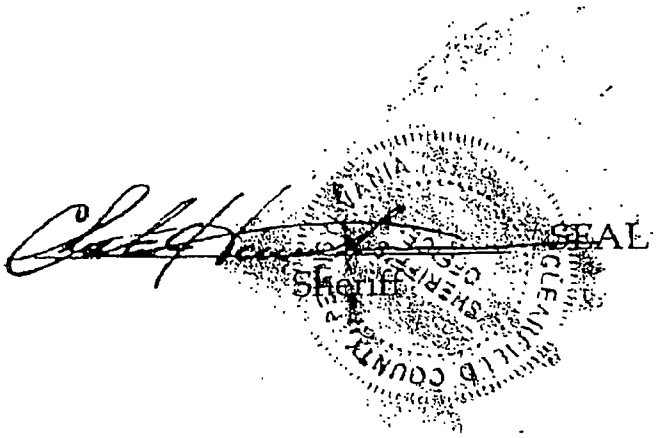
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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 amd 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

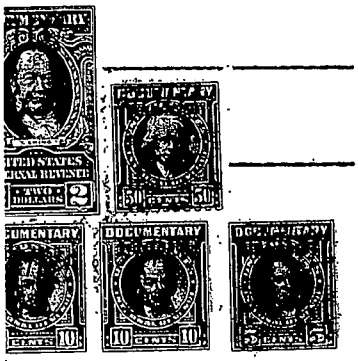
Mary Danner (SEAL)
Mary Danner

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 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 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 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, 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

Vol. 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, 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 ..... 19 49 ..... 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 no-

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 persons 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/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 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 6th, A.D. 1942 and which is recorded in the office of the Prothonotary of the said County in Docket #136. Page 266.

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 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 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 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.D.P. 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

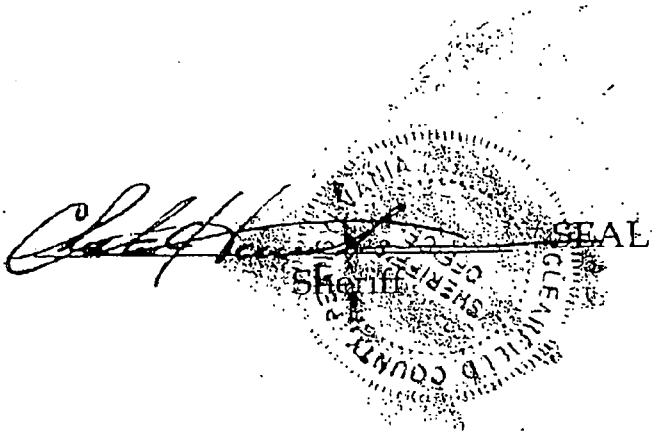
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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 J. Gilbertson
Attys. for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 28th 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 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.

[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 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 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 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. 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, 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 ..... 19 ..... 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 hereiner 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 not

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 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 is 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 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 McLaren 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, 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 #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 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

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 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 (Off. Seal) Chief Clerk

W. V. Carr

Ira Jay

J. O. Kessler

County Commissioners

STATE OF PENNSYLVANIA }
COUNTY OF CLEARFIELD } SS:

On this, the 25th 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

Service # 1 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO BESSIE LOCKEY, DEFENDANT. "DECEASED".

SERVED BY: /

FILED
01 9:13 BY
MAR 13 2006
(LM)
William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO ELIZABETH MCDONALD, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 3 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO LIONEL MCDONALD, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 4 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO THOMAS BUMBARGER, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 5 of 19 Services

Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA

Case # 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO IONA BUMBARGER, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 6 of 19 Services

Sheriff Docket # **101068**

Case #

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT SERVED, TIME EXPIRED" AS TO GRACE HECK, DEFENDANT. UNABLE TO DEPUTIZE WITHOUT BETTER ADDRESS

SERVED BY: CUMBERLAND /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 7 of 19 Services

Sheriff Docket # **101068**

Case #

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT SERVED, TIME EXPIRED" AS TO GEORGE HECK, DEFENDANT. UNABLE TO DEPUTIZE WITHOUT BETTER ADDRESS

SERVED BY: CUMBERLAND /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICE # 8 OF 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

NOW, December 21, 2005 AT 10:30 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON HARVEY BUMBARGER DEFENDANT AT ALLPORT CUTOFF, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO HARVEY BUMBARGER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 9 of 19 Services

Sheriff Docket # **101068**

Case #

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT SERVED, TIME EXPIRED" AS TO MARY DANNER, DEFENDANT. UNABLE TO DEPUTIZE WITHOUT BETTER ADDRESS

SERVED BY: CUMBERLAND /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 10 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO MELINDA HUBLER, DEFENDANT. "DECEASED".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 11 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO LEROY HUBLER, DEFENDANT. "DECEASED".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 12 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO CLARA ROTHROCK, DEFENDANT. UNKNOWN.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICE # 13 OF 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

NOW, December 21, 2005 AT 10:28 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON RUTH BUMBARGER DEFENDANT AT 1974 ALLPORT CUTOFF, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RUTH BUMBARGER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICE # 14 OF 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

NOW, December 21, 2005 AT 10:40 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON ALICE MCGRAW DEFENDANT AT 5346 ALLPORT CUTOFF, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ALICE MCGRAW, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 15 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO OLIVER MCGRAW, DEFENDANT. "DECEASED".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 16 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO HARRY L. FORCEY AKA H.L. FORCEY, DEFENDANT. "DECEASED".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 17 of 19 Services

Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA

Case # 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO A.R. CHASE, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 18 of 19 Services

Sheriff Docket # **101068**

Case # 05-1913-CD

NATIONAL CITY BANK OF PENNSYLVANIA

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO JOHN A. REDDING, DEFENDANT. UNKNOWN.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 19 of 19 Services

Sheriff Docket # **101068**

NATIONAL CITY BANK OF PENNSYLVANIA

Case # 05-1913-CD

vs.

ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

TYPE OF SERVICE COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW March 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO GENEVIEVE REDDING, DEFENDANT. UNKNOWN.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101068
NO: 05-1913-CD
SERVICES 19
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: NATIONAL CITY BANK OF PENNSYLVANIA
vs.
DEFENDANT: ANY AND ALL UNKNOWN HEIRS OF BESSIE LOCKEY, DECEASED et al

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BERNSTEIN	35391	190.00
SHERIFF HAWKINS	BERNSTEIN	35391	127.85

Sworn to Before Me This

_____ Day of _____ 2006

_____

So Answers,

Chester A. Hawkins
Sheriff

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 Atty pd. 95.00
m/11:15 BL
DEC 08 2005 1 cc Shff
William A. Shaw
Prothonotary/Clerk of Courts

June 12, 2006 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.
EK
Deputy Prothonotary

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.

No.

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.

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

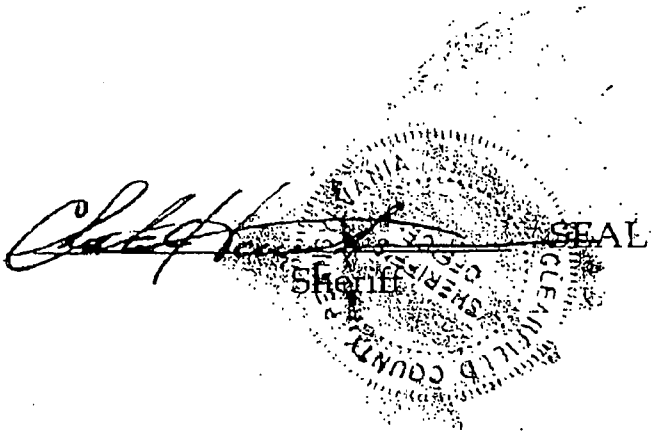
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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 404-4
ebruary 9, 1948, and left surviving him as his heirs at law, 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

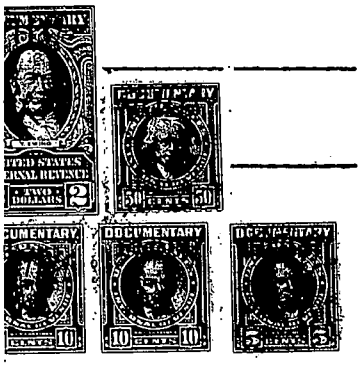
Mary Danner (SEAL)
Mary Danner

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. Gilbert
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 28th 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)
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

CERTIFICATE

Book 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.

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, 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, 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. 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.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 for-

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 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 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/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 Kasey, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Kasey, his wife, parties of the first part, hereinafter designated grantors, and Howard 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 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 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 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

THIS DEED, MADE THE ... BY AND 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 Town-ship of Bogus ...County and State aforesaid, containing 15 & 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. 18 A. D. 19 43 11:12 A.M.

Recorded by Geo. M. Bigler 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.

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

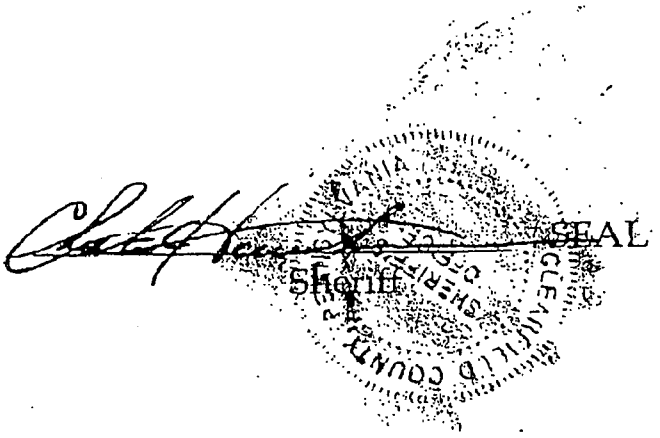
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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. 484-48

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

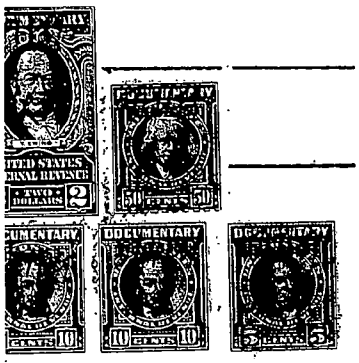
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bum- arger, 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

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 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.

[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 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 12-2-51

CERTIFICATE

Book 404 Page 485

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, 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 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 not

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 is 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 BUMBARGER 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 Bumbarger and Harvey Bumbarger, of the Township of Bigler, 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 Bigler, 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 gas and oil 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

Fenton & 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

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 Township of Bogus County and State aforesaid, containing 11 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 Raney 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 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 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 heir 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. 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

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

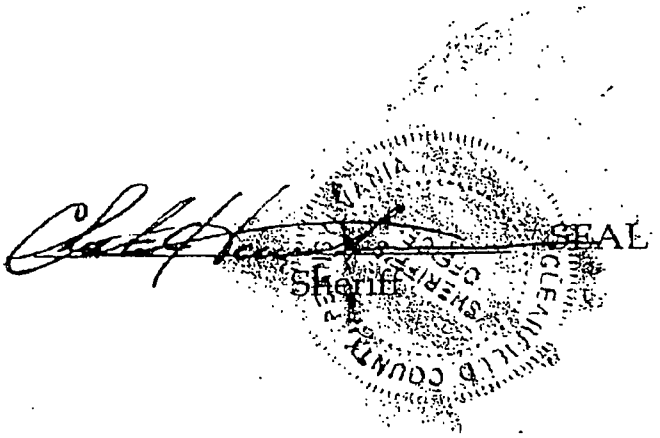
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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.



SEAL

Sheriff

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.

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

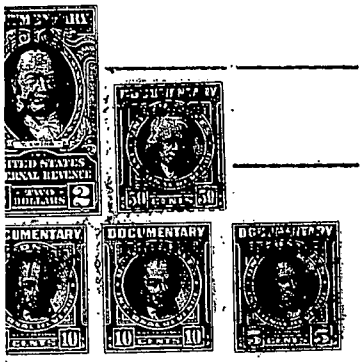
Mary Danner (SEAL)
Mary Danner

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

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 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.

[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
Betty A Dragoon (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 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. 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 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
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 no-

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 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 hereinas 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 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 Hanly, of Lawrence Township, Clearfield County, Pennsylvania, and Ethel Hanly, 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 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 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 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 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 Hagy 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 Hagy, the receipt whereof is hereby acknowledged, do hereby grant and convey, to the said John A. Redding and Theodore Hagy 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 Geo. M. Hagy M.D.P. 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.

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. 05-913-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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

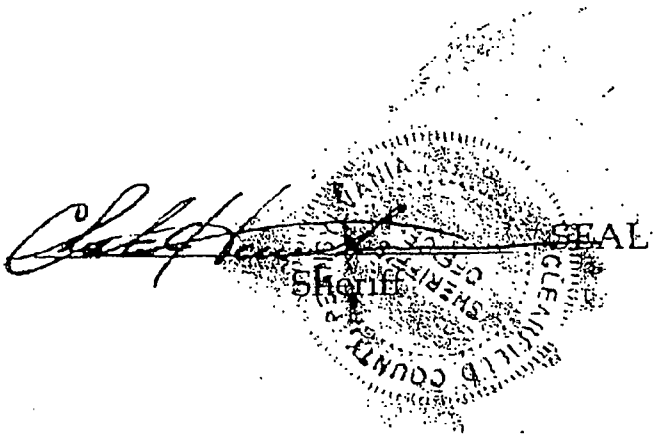
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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

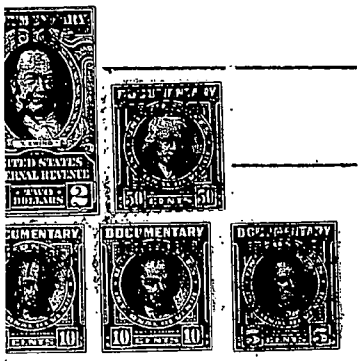
Mary Danner (SEAL)
Mary Danner

he following named persons: Bessie Lockey, Robert Rinehart, lizabeth McDonald, Thomas Bumbarger, Grace Heck, Harvey Bum-arger, 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. Silberblatt
Attys for Grantees

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this the 28th 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. }

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 12-12-51

Vol. 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. 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 Perm (SEAL)
Isabel Perm (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 Perm and Isabel Perm, 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 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 Bell, 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 Bell, 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 14 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 & 70 A and sold as the property of Enoch McLarnan 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, 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 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 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. 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

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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

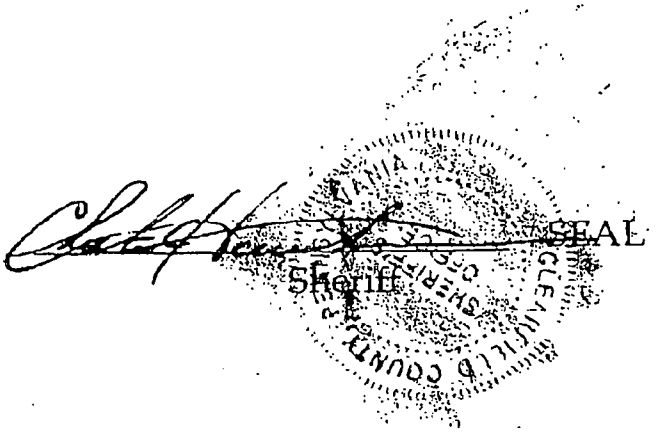
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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.

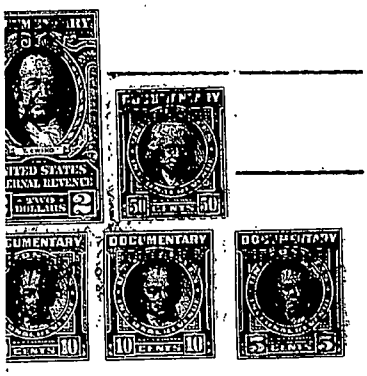
404-4

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

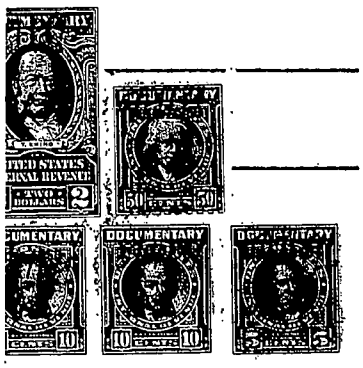
Mary Danner (SEAL)
Mary Danner

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 Bumberger (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. Gilbertbolt
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.

NOTARY PUBLIC STATE OF OREGON

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

-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 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 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. 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 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 no-

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 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 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 hereinas 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 REDDING ET AL) of our lord one thousand nine hundred forty-three
TO) BETWEEN John Redding, of the Borough of Osceola Mills,
HOWARD HUMBERGER 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 Humberger and Harvey Humberger, 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 McClarren Estate containing 73 and 90 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 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

Fenton & Silberblatt
Attorneys for Grantees

Entered of Record Feb 15 1944, 10:20 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 11 & 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 Raney 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 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 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.P. 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
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

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

DEC 08 2005

Attest.

Prothonotary/
Clerk of Courts

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

No.

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.

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

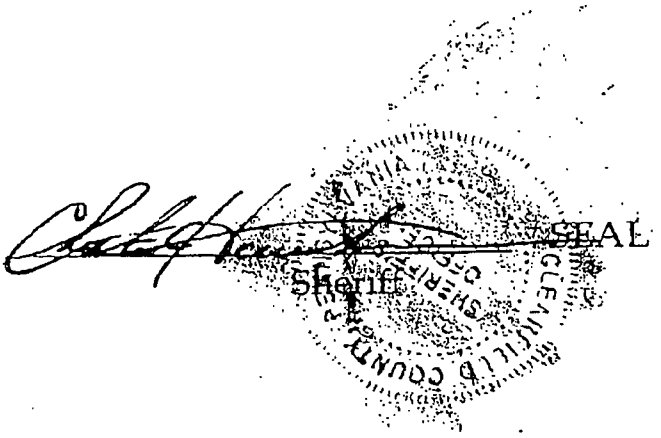
Now, MARCH 3, 2003 the same having been sold by me to the said grantee on the 1ST day of NOVEMBER Anno Domini two thousand two after due advertisement according to law, under and by virtue of writ of execution issued on the 16th day of AUGUST Anno Domini Two thousand and two out of the Court of Common 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 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

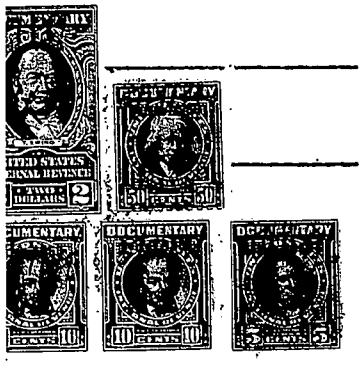
Mary Danner (SEAL)
Mary Danner

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 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

Morrisdale, Pa.
Clearfield
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

COUNTY OF Linn : SS:
:

On this the 5th day of July, 1949, before me, Gloria Wynnegar the undersigned officer, personally appeared EMMA HUBLER and ROLAND HUBLER, 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.

Gloria Wynnegar
~~Betty A. Grayson~~ (SEAL)
Notary Public for Oregon
My Commission Expires 3/26/52

-7-

CERTIFICATE

I, } 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 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 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. 404 Page 485

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, 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. 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 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. Bradley Silcott Clerk.

Entered of Record May 7 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) 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 Perna (SEAL)
Isabel Perna (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 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 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 Bell, 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 Bell, 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 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

Penn & 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 U.A. 70.4 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 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. 16 A. D. 19 43. 11:12 A.M.

Recorded by Geo. R. Hoyt M.D.P. 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