

06-710-CD
W. Wisniewski vs Great Atlantic Prop.

2006-710-CD
William Wisniewski et al vs Great Atlantic

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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
:

vs. : No. 2006- 710 C.D.

ACTION IN QUIET TITLE

GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
NICKLESS, TRUSTEE, and :
LOUIS G. BURATTI, JR., :
any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
:

Defendants :
:

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

MOTION FOR PUBLICATION

AND NOW, this 4th day of May, 2006, an Affidavit having been executed and filed on behalf of William J. Wisniewski and Donna J. Wisniewski, and that the whereabouts of Great Atlantic Properties Corporation d/b/a Highlife Homes and Louis G. Buratti, Jr., their successors or assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, are unknown.

The Plaintiffs, by their counsel, Hopkins Heltzel LLP, requests the Court for leave to serve the Complaint on the above mentioned Defendants, their successors or assigns, and all other person, persons, firms, partnerships, or corporate entity in interest, or their legal representatives, generally, by publication in such manner as the Court shall direct and as provided by the Pa. R.C.P. Rule 410, and Pa.R.C.P. Rule 430.


David J. Hopkins, Esquire

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

WILLIAM J. WISNIEWSKI and
DONNA J. WISNIEWSKI,
Plaintiffs

vs.

No. 2006-710 C.D.

GREAT ATLANTIC PROPERTIES
CORPORATION d/b/a HIGHLIFE
HOMES, and DAVID M.
NICKLESS, TRUSTEE, and
LOUIS G. BURATTI, JR.,
any heir, persons claiming or who might
claim title under the aforesaid defendants
and any other person, persons, firms,
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

ACTION IN QUIET TITLE

FILED
01/21/2006
MAY 05 2006
Atty Hopkins
1CC

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF UNKNOWN WHEREABOUTS

David J. Hopkins, attorney for Plaintiffs, William J. Wisniewski and Donna J. Wisniewski, being duly sworn according to law, deposes and says that to the best of my knowledge, information and belief, the whereabouts of Defendant, Great Atlantic Properties Corporation d/b/a Highlife Homes and Louis G. Buratti, Jr. are unknown.

David J. Hopkins, Esquire, has conducted a search of the area where Great Atlantic Properties Corporation maintained its office and the office is no longer present. The records of the Secretary of State have not been updated with a new address. An internet search has failed to reveal an address for Great Atlantic Properties Corporation d/b/a Highlife Homes.

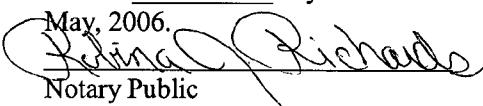
David J. Hopkins, Esquire, has conducted a search for Louis G. Buratti, Jr. by contacting the United States Trustee for Louis G. Buratti who office has advised that they do not know Mr. Buratti's whereabouts. An internet search has failed to reveal an address for Louis G. Buratti, Jr. David J. Hopkins, Esquire, has heard that Mr. Buratti has died. However, his death has not been verified.

As a result of the foregoing unsuccessful search, the whereabouts of Great Atlantic Properties Corporation d/b/a Highlife Homes is unknown and the whereabouts of Louis G. Buratti, Jr. is unknown and your Affiant respectfully request that they be served by publication.


David J. Hopkins, Esquire

Sworn to and subscribed before
me this 4th day of

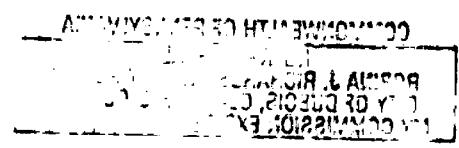
May, 2006.


Robina J. Richards
Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

ROBINA J. RICHARDS, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 3, 2008



FILED
MAY 05 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM J. WISNIEWSKI and
DONNA J. WISNIEWSKI,
Plaintiffs

vs.

GREAT ATLANTIC PROPERTIES
CORPORATION d/b/a HIGHLIFE
HOMES, and DAVID M.
NICKLESS, TRUSTEE, and
LOUIS G. BURATTI, JR.,
any heir, persons claiming or who might
claim title under the aforesaid defendants
and any other person, persons, firms,
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

No. 2006- 710 C.D.

ACTION IN QUIET TITLE

Type of Pleading: Complaint

Filed on behalf of: William J. Wisniewski
and Donna J. Wisniewski, Plaintiffs

Counsel of Record for this Party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE
Attorney at Law

Supreme Court No. 42519
100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801

(814) 375-0300

FILED
10/2/05
MAY 05 2006
Atty pd. 95.00
100
Atty Hopkins
William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
:
vs. : No. 2006- C.D.
: :
: ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
NICKLESS, TRUSTEE, and :
LOUIS G. BURATTI, JR., :
any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :

NOTICE

TO DEFENDANT:

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, 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 judgement 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Office of the Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641 ext. 5982

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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
:
vs. : No. 2006- C.D.
: :
: ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
NICKLESS, TRUSTEE, and :
LOUIS G. BURATTI, JR., :
any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :

COMPLAINT

AND NOW COMES, Plaintiffs, William J. Wisniewski and Donna J. Wisniewski, by and
through their attorneys, Hopkins Heltzel LLP and avers as follows:

COUNT I

1. Plaintiffs, William J. Wisniewski and Donna J. Wisniewski, are husband and
wife, who reside at 336 Mount Pleasant Avenue, Dover, New Jersey 07801.

2. The property to be quieted is described as follows:

All that certain tract of land designated as Section 6A, Lot 162, in the Treasure Lake
Subdivision in Sandy Township, Clearfield County, Pennsylvania.

3. Defendant Great Atlantic Properties Corporation d/b/a Highlife Homes whose registered office address in the Office of the Secretary of State is c/o Highlife Homes, RR #8, Box 26-H, DuBois, Pennsylvania 15801.

4. To the best knowledge, information and belief of Plaintiffs, the corporation no longer exists and does not maintain an office at the aforesaid address.

5. Defendant Louis G. Buratti, Jr. is an adult individual who filed for the protection of the United States Bankruptcy Court and pursuant thereto David M. Nickless was appointed as the Trustee. The whereabouts of Louis G. Buratti, Jr. are unknown.

6. Defendant David M. Nickless is a United States Bankruptcy Trustee appointed in the United States Bankruptcy Case of Louis G. Buratti, Jr., filed in the United States Bankruptcy Court in the Western District of Massachusetts, Docket No. 98-47214-JFQ. Mr. Nickless address is Nickless and Phillips, Attorneys at Law, 495 Main Street, Fitchburg, Massachusetts 01420.

7. Great Atlantic Properties Corporation d/b/a Highlife Homes acquired the property described in paragraph 2 by Deed of the Recreation Land Corporation dated August 7, 1997 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1867, at page 262.

8. On October 1, 1998, Louis G. Buratti, Jr., filed a United States Bankruptcy petition under Chapter 7 of the United States Bankruptcy Code in the Western District of Massachusetts, Docket No. 98-47214-JFQ. David M. Nickless was duly appointed Trustee. David M. Nickless, Trustee, applied to the Bankruptcy Court for a blanket order authorizing the

sale of property owned by Great Atlantic Properties Corporation d/b/a/ Highlife Homes alleging Louis G. Buratti, Jr., owned or controlled ninety (90%) percent of Great Atlantic Properties Corporation. The Honorable James F. Queenan, Bankruptcy Judge in the Western District of Massachusetts, entered an order on August 31, 1999, authorizing David M. Nickless, Trustee, to sell any or all of the 651 lots of undeveloped property owned by Great Atlantic Properties Corporation d/b/a/ Highlife Homes. Said order was never appealed.

9. Defendants failed to pay real estate taxes assessed against the property for the years 1998 through 2004 and the property became vested in the Tax Claim Bureau of Clearfield County, Pennsylvania as Trustee under the provisions of the Act of July 7, 1947, P.L. 1368, and amendments thereto.

10. By Deed dated March 8, 2006, the Tax Claim Bureau of Clearfield County, Pennsylvania, Trustee, conveyed the property described in paragraph 2 to Plaintiffs. Said deed is recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2006-03573.

11. The purpose of this quiet title action is to remove any and all claims that Great Atlantic Properties Corporation or David M. Nickless, Trustee or Louis G. Buratti, Jr. may possess in the property described herein and to remove any clouds upon the title to said property as a result of the Deed from the Tax Claim Bureau.

WHEREFORE, Plaintiffs request the Court to decree that title to the premises described herein be granted unto Plaintiffs in fee simple and absolutely, and that the Defendants, Great Atlantic Properties Corporation, d/b/a Highlife Homes, and David M. Nickless, Trustee and Louis G. Buratti, Jr., be forever barred from asserting any right, lien, or interest inconsistent with the interest or claim of the Plaintiffs as set forth herein, in and to the property described in paragraph 2.

COUNT II

12. Plaintiffs repeat the allegations set forth in Count I as if set forth at length herein.
13. The property identified in paragraph 2 may have been subject to a mortgage from Great Atlantic Properties Corporation to Spalding Sports Worldwide dated February 20, 1998 and recorded in the Office of the Recorder of deeds for Clearfield County in Volume 1911 page 171.
14. Spalding Sports Worldwide conveyed all of its interest in said mortgage to David M. Nickless as United States Trustee for Louis G. Buratti, Jr. in the United States Bankruptcy Case of In Re Louis G. Buratti, Jr., filed in the United States Bankruptcy Court in the Western District of Massachusetts, Docket No. 98-47214-JFQ.
15. To the best knowledge, information and belief of Petitioners, there is no money that is due and owing Great Atlantic Properties or to the United States Bankruptcy Trustee and the mortgage has no validity.

WHEREFORE, Plaintiffs respectfully request that in the event said Spalding Sports Worldwide mortgage encumbers Section 6A, Lot 162 in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania, then same be released for all time further declare the property is no longer encumbered by said mortgage.

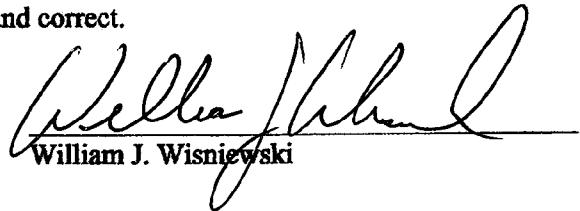
Respectfully submitted,



David J. Hopkins, Esquire
Attorney for Plaintiffs

VERIFICATION

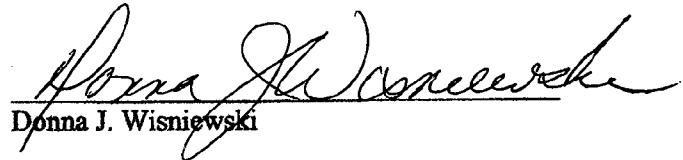
With full understanding that false statements herein are made subject to the penalties of
18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the
statements made in this pleading are true and correct.



William J. Wisniewski

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of
18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the
statements made in this pleading are true and correct.



Donna J. Wisniewski

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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
vs. : No. 2006- 710 C.D.
: ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
NICKLESS, TRUSTEE, and :
LOUIS G. BURATTI, JR., :
any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :
: Type of Pleading: Motion for Judgment
: Filed on behalf of: William J. Wisniewski
and Donna J. Wisniewski, Plaintiffs
: Counsel of Record for this party:
: DAVID J. HOPKINS, ESQUIRE
Attorney at Law
: Supreme Court No. 42519
100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801
: (814) 375-0300

FILED 100
01/23/06 Atty Hopkins
JUN 27 2006
61

William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM J. WISNIEWSKI and	:	
DONNA J. WISNIEWSKI,	:	
Plaintiffs	:	
vs.	:	No. 2006-710 C.D.
	:	
	:	ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES	:	
CORPORATION d/b/a HIGHLIFE	:	
HOMES, and DAVID M.	:	
NICKLESS, TRUSTEE, and	:	
LOUIS G. BURATTI, JR.,	:	
any heir, persons claiming or who might	:	
claim title under the aforesaid defendants	:	
and any other person, persons, firms,	:	
partnerships, or corporate entities who	:	
might claim title to the premises herein	:	
described,	:	
Defendants	:	

MOTION FOR JUDGMENT

AND NOW, this 27 day of June, 2006, comes William J. Wisniewski and Donna J. Wisniewski, by and through their attorneys, Hopkins Heltzel LLP and David J. Hopkins, Esquire, and says:

1. Service of the Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon Defendants, Great Atlantic Properties Corporation d/b/a Highlife Homes and Louis G. Buratti, Jr., and any heirs, devisees, administrators, executors and assigns, by publication, and

more than twenty (20) days have elapsed since said service, and that the said Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired; and

2. Service of the Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon Defendant David M. Nickless, Trustee appointed by the United States Bankruptcy Court case of Louis G. Buratti, Jr., by certified mail that was received on May 15, 2006 and more than twenty (20) days have elapsed since said service, and that the said Defendant have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired. A 10 day notice required by Pa.R.C.P. No. 237.1 was sent to the same address as the Complaint was served, that being the law office of Nickless and Phillips, 495 Main Street, Fitchburg, MA 01420, and more than ten (10) days have elapsed since said service and that the said Defendant has not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.

WHEREFORE Plaintiffs seek judgment against each Defendant.

Respectfully submitted,



David J. Hopkins, Esquire
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
(CIVIL DIVISION)
No. 2006-710 C.D.
ACTION IN QUIET TITLE

WILLIAM J. WISNIEWSKI and DONNA J. WISNIEWSKI, Plaintiffs vs. GREAT ATLANTIC PROPERTIES CORPORATION d/b/a HIGHLIFE HOMES, and DAVID M. NICKLESS, TRUSTEE, and LOUIS G. BURATTI, JR., any heir, persons claiming or who might claim title under the aforesaid defendants and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described, Defendants

QUIET TITLE ACTION NOTICE

TO: Great Atlantic Properties Corporation d/b/a Highlife Homes and Louis G. Buratti, Jr., any heir, persons claiming or who might claim title under the aforesaid Defendants and any other person, persons, firms, partnerships or corporate entities in interest.

You are hereby notified that an action to quiet title to the premises situate, lying and being in Sandy Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

All that certain tract of land designated as Section 6A, Lot 162, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania,

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiff in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that

CLEARFIELD COUNTY, PA, DECEASED.

First & Final Account of Helen L. Frailey,
Executrix for the Estate of Marie H. Riddle
a/k/a Helen Marie Riddle, late of Curwen-
sville, Clearfield County, PA, DECEASED.

First & Final Account of Verna Knepp,
Legal Representative, for the Estate of
James I. Smith, late of Morris Township,
Clearfield County, PA, DECEASED.

First & Partial Account of S & T Bank,
Trustee for J. Clyde Martin TUW FBO Esther
Martin Memorial Fund late of DuBois, Clear-
field, Clearfield County, PA, DECEASED.

First & Final Account of S & T Bank,
Executor for the Estate of Sandra S.
Kweder, late of DuBois, Clearfield County,
PA, DECEASED.

Second & Final Account of First
Commonwealth Trust Company, Executor
for the Estate of Leah E. Humphreys, late of
DuBois, Clearfield, Clearfield County, PA,
DECEASED.

**KAREN L. STARCK, REGISTER OF
WILLS & CLERK OF ORPHANS' COURT.**

ADV: May 12 & 19, 2006.

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN
PURSUANT to the provisions of Section 311
of Act 1982-295 (54 Pa.C.S.A. 311), of the
filing under the Fictitious Names Act in the
Office of Secretary of the Commonwealth of
Pennsylvania, at Harrisburg, Pennsylvania,
on May 16, 2006, a certificate for the
conduct of business in Clearfield County,
Pennsylvania, under the assumed or
fictitious name, style or designation of
JOHNSTON NURSERY, with its principal
business address located at 207 Charles
Road, Clearfield, PA 16830. The name and
address of the entity owning or interested in
the said business is Craig L. Wise.

Dwight L. Koerber, Jr., Esquire, PO Box
1320, Clearfield, PA 16830.

notice of said* action* be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFFS. 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator, Clearfield County Courthouse, 230 East Market Street, Clearfield, PA 16830. (814) 765-2641.

David J. Hopkins, Esquire, Attorney for Plaintiffs, 100 Meadow Lane, Suite 5, DuBois, PA 15801. (814) 375-0300.

Goldbeck McCafferty & McKeever, PC
Suite 5000,
Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532

**NOTICE OF ACTION IN MORTGAGE
FORECLOSURE**

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

J P Morgan Chase Bank, NA., s/b/m
With Chase Bank One, N.A. Vs. Lloyd Light
a/k/a Lloyd W. Light, Judith Light a/k/a Judith
Fargo Light a/k/a Judith F. Light, Jerry A.
Miles

COURT OF COMMON PLEAS
CIVIL DIVISION, CLEARFIELD COUNTY
NO. 05-807-CD

NOTICE

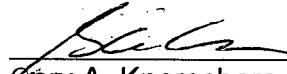
TO JERRY A. MILES:

You are hereby notified that on June 7,
2005 Plaintiff, J P Morgan Chase Bank,
N.A., s/b/m With Chase Bank One, NA.. filed
a Mortgage Foreclosure Complaint

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD :

On this 19th day of May 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 May 19, 2006, Vol. 18 No. 20. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

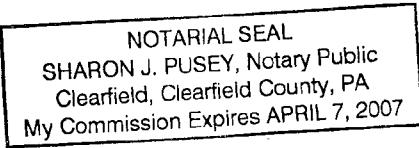


Gary A. Knaresboro, Esquire
Editor

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



Notary Public
My Commission Expires



Hopkins Heltzel LLP
100 Meadow Lane Suite 5
DuBois PA 15801

1581
IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA
(CIVIL DIVISION)
No. 2006-710 C.D.

ACTION IN QUIET TITLE

WILLIAM J. WISNIEWSKI and DONNA J. WISNIEWSKI, Plaintiffs

vs.

GREAT ATLANTIC PROPERTIES CORPORATION d/b/a HIGH-LIFE HOMES, and DAVID M. NICKLESS, TRUSTEE, and LOUIS G. BURATTI, JR., any heir, persons claiming or who might claim title under the aforesaid defendants and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises, herein described, Defendants

QUIET TITLE ACTION NOTICE

TO Great Atlantic Properties Corporation d/b/a Highlife Homes and Louis G. Buratti, Jr., any heir, person, claiming or who might claim title under the aforesaid Defendants and any other person, persons, firms, partnerships or corporate entities in interest.

You are hereby notified that an action to quiet title to the premises situated, lying and being in Sandy Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

ALL that certain tract of land designated as Section 6A, Lot 162, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiff in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFFS. 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641

David J. Hopkins
Attorney for Plaintiffs
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300

5/9/06

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT
PUBLISHED BY McLEAN PUBLISHING COMPANY,
DUBOIS PENNSYLVANIA**

Under act 587, Approved May 16, 1929, P.L. 1784

**STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD.**

SS:

Linda Smith, Advertising Director or Dory Ferra, Classified Advertising Supervisor of the **Courier-Express/Tri-County Sunday/Jeffersonian Democrat** of the County and State aforesaid, being duly sworn, deposes and says that the **Courier Express**, a daily newspaper, the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

17th day of **May** A.D., **2006**

Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**McLEAN PUBLISHING COMPANY Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By _____

Linda Smith

Sworn and subscribed to before me this 26th day of May, 2006

Connie L. Booth

NOTARY PUBLIC



Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of
**COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT**
DuBois, PA

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Connie L. Booth, Notary Public City of DuBois, Clearfield County My Commission Expires Sept. 5, 2009
Member, Pennsylvania Association of Notaries

TO _____

Hopkins Heltzel LLP

For publishing the notice or advertisement attached hereto on the above stated dates.....	<u>\$259.20</u>
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By _____

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

ATTORNEY FOR

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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
vs. : No. 2006- 710 C.D.
: ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
NICKLESS, TRUSTEE, and :
LOUIS G. BURATTI, JR., :
any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :

TO: David M. Nickless, Trustee
Nickless and Phillips
495 Main Street
Fitchburg, MA 01420

DATE OF NOTICE: June 5, 2006

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE
ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN
DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED
AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY
OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Office of the Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641 Ext. 1303


DAVID J. HOPKINS, ESQUIRE
Attorney for Plaintiffs
Supreme Court No. 42519
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300



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- **Sender:** Please print your name, address, and ZIP+4 in this box.

0012

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HOPKINS HELTZEL LLP

100 Meadow Lane, Suite 5 • DuBois, PA 15801

David J. Hopkins
Licensed in PA & NJ
Masters in Taxation

• Voice: (814) 375 - 0300

• Fax: (814) 375 - 5035

• Email: hopkinslaw@adelphia.net

Lea Ann Heltzel
Licensed in PA

May 11, 2006

Certified Mail – Return Receipt Requested

David M. Nickless, Trustee
Nickless and Phillips
Attorneys at Law
495 Main Street
Fitchburg, MA 01420

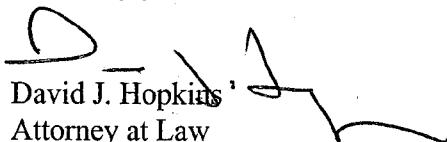
Re: William J. Wisniewski and Donna J. Wisniewski vs.
Great Atlantic Properties Corporation d/b/a Highlife
Homes and David M. Nickless, Trustee and Louis G.
Buratti, Jr.

Dear Mr. Nickless:

Enclosed herewith please find Quiet Title Complaint that I have prepared and filed on behalf of Mr. and Mrs. William J. Wisniewski to release any claim the bankruptcy estate of Louis G. Buratti, Jr. may have in the property.

Should you have any questions, please feel free to contact me.

Very truly yours,


David J. Hopkins
Attorney at Law

DJH/bjr

Enclosure

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

WILLIAM J. WISNIEWSKI and
DONNA J. WISNIEWSKI,
Plaintiffs

vs.

No. 2006-710 C.D.

GREAT ATLANTIC PROPERTIES
CORPORATION d/b/a HIGHLIFE
HOMES, and DAVID M.
NICKLESS, TRUSTEE, and
LOUIS G. BURATTI, JR.,
any heir, persons claiming or who might
claim title under the aforesaid defendants
and any other person, persons, firms,
partnerships, or corporate entities who
might claim title to the premises herein
described,

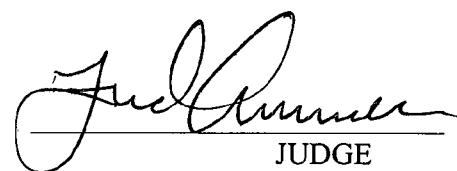
Defendants

ACTION IN QUIET TITLE

ORDER FOR PUBLICATION

AND NOW, this 9 day of May, 2006, upon the consideration of the foregoing Motion,
the Plaintiffs are granted leave to make service of the Complaint on the above mentioned
Defendant, its successor or assigns, and all other person, persons, firms, partnerships, or
corporate entities in interest, or their legal representatives, by publication one time in the Courier
Express, a newspaper published in the City of DuBois, in general circulation of the County of
Clearfield, Commonwealth of Pennsylvania, and in the Clearfield Legal Journal

BY THE COURT,



JUDGE

FILED ^{ICC}
D/J/19/2006 Amy Hopkins
MAY 10 2006


William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM J. WISNIEWSKI and
DONNA J. WISNIEWSKI,
Plaintiffs

vs.

No. 2006-710 C.D.

ACTION IN QUIET TITLE

GREAT ATLANTIC PROPERTIES
CORPORATION d/b/a HIGHLIFE
HOMES, and DAVID M.
NICKLESS, TRUSTEE, and
LOUIS G. BURATTI, JR.,
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claim title under the aforesaid defendants
and any other person, persons, firms,
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

TO: David M. Nickless, Trustee
Nickless and Phillips
495 Main Street
Fitchburg, MA 01420

DATE OF NOTICE: June 5, 2006

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE
ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN
DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED
AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY
OR OTHER IMPORTANT RIGHTS.

FILED

JUN 07 2006

01 12:55 PM
William A. Shaw
Prothonotary/Clerk of Courts

No C/C

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641 Ext. 1303


DAVID J. HOPKINS, ESQUIRE
Attorney for Plaintiffs
Supreme Court No. 42519
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300

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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
vs. : No. 2006- 710 C.D.
: ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
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any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

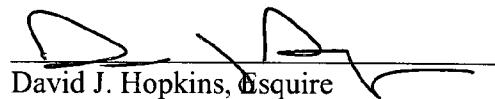
Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for
William J. Wisniewski and Donna J. Wisniewski, who, being duly sworn according to law,
deposes and says:

FILED 1CC
012133 C.D. Atty Hopkins
JUN 27 2006 (60)

William A. Shaw
Prothonotary/Clerk of Courts

1. Service of the Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon Defendants, Great Atlantic Properties Corporation d/b/a Highlife Homes and Louis G. Buratti, Jr., and any heirs, devisees, administrators, executors and assigns, by publication, and more than twenty (20) days have elapsed since said service, and that the said Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired; and

2. Service of the Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon Defendant David M. Nickless, Trustee appointed by the United States Bankruptcy Court case of Louis G. Buratti, Jr., by certified mail that was received on May 15, 2006 and more than twenty (20) days have elapsed since said service, and that the said Defendant have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired. A 10 day notice required by Pa.R.C.P. No. 237.1 was sent to the same address as the Complaint was served, that being the law office of Nickless and Phillips, 495 Main Street, Fitchburg, MA 01420, and more than ten (10) days have elapsed since said service and that the said Defendant has not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.



David J. Hopkins, Esquire

Sworn to and subscribed before me this
26th day of June, 2006.



Robina J. Richards
Notary Public

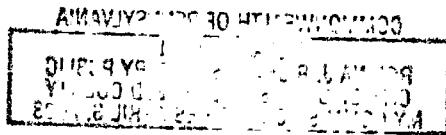
COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

ROBINA J. RICHARDS, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 3, 2008

FILED
JUN 27 2006

William A. Shaw
Prothonotary/Clerk of Courts



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

WILLIAM J. WISNIEWSKI and :
DONNA J. WISNIEWSKI, :
Plaintiffs :
: vs. : No. 2006- 710 C.D.
: : ACTION IN QUIET TITLE
GREAT ATLANTIC PROPERTIES :
CORPORATION d/b/a HIGHLIFE :
HOMES, and DAVID M. :
NICKLESS, TRUSTEE, and :
LOUIS G. BURATTI, JR., :
any heir, persons claiming or who might :
claim title under the aforesaid defendants :
and any other person, persons, firms, :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :
:

FILED ¹⁰⁰
01/07/01 Atty Hopkins
JUN 28 2006
CK
William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 28 day of June, 2006, it appearing that service
of the Complaint to Quiet Title in the above stated action was served upon Defendants, Great
Atlantic Properties Corporation d/b/a Highlife Homes, David M. Nickless, Trustee and Louis G.
Buratti, Jr., pursuant to the Rules of Civil Procedure; and by Affidavit of David J. Hopkins,
Attorney for Plaintiffs, that no answer or appearance has been filed to said action, and on Motion
of David J. Hopkins, Esquire, it is hereby ORDERED and DECREED:

1. That the Defendants, Great Atlantic Properties Corporation d/b/a Highlife Homes,
David M. Nickless, Trustee and Louis G. Buratti, Jr., and any heirs, person, persons, firms,
partnerships, or corporate entities who might claim title to the premises are forever barred from

asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint in and to:

 All that certain tract of land designated as Section 6A, Lot 162, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.

 2. That title to said property is now vested in William J. Wisniewski and Donna J. Wisniewski as prayed.

 3. The mortgage from Great Atlantic Properties Corporation to Spaulding Sports Worldwide dated February 20, 1998 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1911, page 171 is released as an encumbrance to Section 6A, Lot 162 in the Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania.

 4. That the rights of the Plaintiffs are superior to the rights of the Defendants, Great Atlantic Properties Corporation d/b/a Highlife Homes, David M. Nickless, Trustee and Louis G. Buratti, Jr., and any heirs, persons claiming, or who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.

 5. That the Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, Great Atlantic Properties Corporation d/b/a Highlife Homes, David M. Nickless, Trustee and Louis G. Buratti, Jr., and any heirs, devisees, administrators, executors, and assigns.

 6. That the Defendants, Great Atlantic Properties Corporation d/b/a Highlife Homes, David M. Nickless, Trustee and Louis G. Buratti, Jr., and any heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiffs as

set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises.

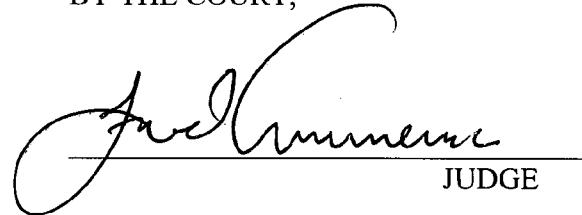
7. That the thirty (30) days provisions of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of Pennsylvania Rules of Civil Procedure 248 to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

8. That these proceedings or any authenticated copy thereof, shall at all times hereinafter be taken as evidence of the facts declared and established thereby.

9. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deed of Clearfield County, Pennsylvania.

WHEREFORE, Plaintiffs seek judgment against each Defendant.

BY THE COURT,



JACK L. KUMMER
JUDGE