

06-950-CD

Richard Powers vs Katie K Clark et al

2006-950-CD

Richard Powers et al vs Katie Clark et al

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

RICHARD E. POWERS and  
JUNE A. POWERS,

Plaintiffs

vs.

KATIE K. CLARK; KATY CLARK;  
WILLIAM F. CLARK; and MUTUAL  
BUILDING AND LOAN ASSOCIATION  
OF DUBOIS,

Defendants

NO. *D6-950-CD*

Type of Case: Action to Quiet Title

Type of Pleading: Complaint

Filed on behalf of: Plaintiffs

Counsel of Record for this Party:  
David P. King, Esquire  
23 Beaver Drive  
P. O. Box 1016  
DuBois, PA 15801  
(814) 371-3760

Supreme Court No. 22980

**FILED** *Atty pd. 95.00*  
*MJD:21B4 JCC Atty*  
*JUN 14 2006*

William A. Shaw  
Prothonotary/Clerk of Courts

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

RICHARD E. POWERS and	:	
JUNE A. POWERS,	:	
Plaintiffs	:	
vs.	:	NO. _____ C.D.
KATIE K. CLARK; KATY CLARK;	:	
WILLIAM F. CLARK; and MUTUAL	:	
BUILDING AND LOAN ASSOCIATION	:	
OF DUBOIS,	:	
Defendants	:	

NOTICE

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 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 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, Suite 228  
Clearfield, PA 16830  
(814) 765-2641 Ext. 5982

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

RICHARD E. POWERS and	:	
JUNE A. POWERS,	:	
Plaintiffs	:	
	:	
vs.	:	NO. _____ C.D.
	:	
KATIE K. CLARK; KATY CLARK;	:	
WILLIAM F. CLARK; and MUTUAL	:	
BUILDING AND LOAN ASSOCIATION	:	
OF DUBOIS,	:	
Defendants	:	

COMPLAINT

AND NOW, come the Plaintiffs, RICHARD E. POWERS and JUNE A. POWERS, and bring this Action to Quiet Title for the purpose of barring the above mentioned Defendants, their heirs, administrators, successors and assigns, from making any claim of right, title, interest, lien or mortgage in and to the property as described herein, as situated in the City of DuBois, Clearfield County, Pennsylvania, and avers the following cause of action in support of the same:

1. The Plaintiffs are RICHARD E. POWERS and JUNE A. POWERS, and they reside at 151 Highland Street, DuBois, PA 15801.
2. The subject matter property is described by address as 523 Maple Avenue, in DuBois, PA, and is further identified in the assessment records of Clearfield County by Map No. 014-000-04273, consisting of H,Shed&L#64. The legal description is as follows:

On the North by Sunflower Alley; on the East by land now or formerly of Gerald V. Portzer, et al.; on the South by Maple Avenue; and on the West by land now or formerly of Anna Kilmer; being fifty (50) feet in frontage on Maple Avenue, and one hundred and fifty (150) feet in depth to Sunflower Alley.

3. The Plaintiffs herein have acquired the subject matter premises from Deed of James T. Barnes, Jr., with joinder of his spouse, Janet L. Barnes, by Deed dated the 25th day of April, 2006, and as recorded in the office of the Recorder of Deeds of Clearfield County, PA, as Instrument Number 2006-09246.

4. The chain of title into the Plaintiffs is as follows:

(a) Deed above mentioned from James T. Barnes, Jr., with joinder of spouse, Janet L. Barnes.

(b) James T. Barnes, Jr. acquired the same by Deed of Rose Barnes, a widow, dated the 25th day of September, 1975, and as recorded in Deed Book Volume 707, Page 478, as a joint tenant with the right of survivorship with the said Rose Barnes.

(i) The said Rose Barnes died on April 4, 2006, whereby all of her right, title and interest divulged by such right of survivorship unto her surviving son, the said James T. Barnes, Jr..

(c) Rose Barnes, and her husband, James T. Barnes, had acquired the property by Deed of Dorothy Barnes, dated the 29th day of October, 1954, as recorded in Deed Book Volume 438, Page 581.

(i) The said James T. Barnes predeceased his wife and as surviving tenant by the entireties, title vested solely in her.

(d) Dorothy Barnes had acquired title to the subject matter premises by the following Deeds:

(i) Deed from the City of DuBois by Deed dated April 26, 1944, as recorded in Deed Book Volume 357, Page 580.

(ii) Deed from The County Commissioners of Clearfield County to Dorothy Barnes dated May 25, 1942, as recorded in Deed Book Volume 353, Page 9.

(e) The City of DuBois had acquired the same from the Treasurer of the City of DuBois by Deed found in Book 357, Page 579. This Deed was assigned to the said Dorothy Barnes as aforesaid in Book 357, Page 580.

(f) The County of Clearfield had acquired the subject matter premises by Deed from the County Treasurer of Clearfield County as found in Deed Book Volume 353, Page 8.

(g) Those Deeds as recited above, represent Tax Sale Deeds as the subject matter premises was sold by the City and County Treasurers to the City of DuBois and County of Clearfield respectively as the property of one Katie Clark for the nonpayment of taxes for the years 1931, 1933, 1935, 1936 and 1940.

(h) The subject matter premises was not redeemed by the said Katie Clark in accordance with her right of redemption that existed at such time.

(i) Katie Clark had acquired the subject matter premises from a Mary Harder, by Deed dated August 29, 1895, and recorded in Deed Book Volume 90, Page 70. While the said Katie Clark was the titled owner of the subject matter premises, there were two mortgages of record identified as follows:

(i) Mortgage from Katie K. Clark and William F. Clark to the Mutual Building & Loan Association of DuBois, for the principal sum of \$600.00, dated the 31st day of December, 1904, and recorded in Mortgage Book 21, Page 89, on January 5, 1905.

(ii) Mortgage of Katy (Katie) Clark and William F. Clark to the Mutual Building and Loan Association of DuBois in the principal sum of \$800.00, dated August 16, 1899, and recorded in Mortgage Book 1, Page 263, on August 17, 1899.

5. The above mentioned Mortgages were never satisfied of record, but it is believed and alleged that said Mortgages were paid and satisfied but Satisfaction Pieces were not recorded.

6. The said Mutual Building and Loan Association of DuBois was shown to have an address of "DuBois, PA". Nothing more specific was given in Mortgage document.

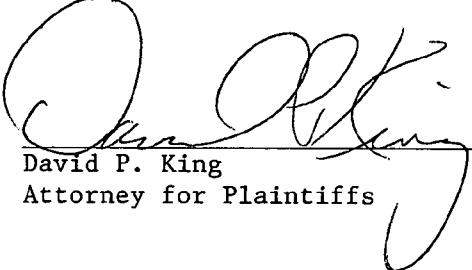
Such address above mentioned is no longer the address of the Mutual Building and Loan Association of DuBois, and in fact no address or location exists presently for the same.

7. In addition to all the above, the Plaintiffs and Plaintiffs' predecessors in title have been in actual, open, notorious, visible, hostile and continuous possession of the premises for a period of more than fifty years.

8. The purpose of this Quiet Title Action is to quiet title as to any interest that the Defendants, their heirs, devisees, administrators, executors or assigns, or any other person, persons, firms, partnerships, corporate entities in interest, may have in the property identified herein, as to title, or ownership of mortgage or other lien, because of any defects that may have existed in the Tax Sales above described, because said property was improperly assessed, or not properly described, because proper notice of Tax Sales to the record owners or mortgage holders had not been made, and because it is believed and alleged that the Mortgages recited have in fact been paid in full, or for any other reason that may raise some questions as to the validity of title. The purpose of this action is to make the title free, clear and of marketable quality.

WHEREFORE, Plaintiffs respectfully request your Honorable Court to enter the appropriate Order as follows:

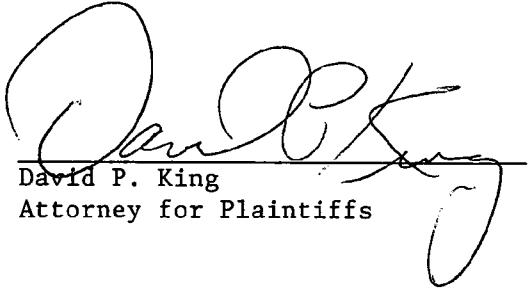
- (a) Declaring that the rights of the Plaintiffs are superior to the rights of all of the Defendants named herein, as well as their heirs, executors, successors and assigns.
- (b) To declare that the Plaintiffs have a fee simple title in the subject matter premises herein and as against all of the Defendants, their heirs, administrators, executors, successors and assigns.
- (c) To declare that the Mortgages recited herein have been satisfied, and to direct the Recorder of Deeds to so note the same of record.
- (d) To enjoin all of the Defendants, their heirs, administrators, executors, successors and assigns from setting up any title to the premises described herein, from asserting any valid mortgage or other liens, and from impeaching, denying or in anyway attacking the title of the Plaintiffs to the premises described.
- (e) And to grant and decree whatever relief may be deemed equitable and proper.



David P. King  
Attorney for Plaintiffs

I verify that the statements made in this Complaint are true and correct, and that as Attorney, have the permission of Plaintiffs to verify the same, and understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: June 12, 2006

  
David P. King  
Attorney for Plaintiffs

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

RICHARD E. POWERS and  
JUNE A. POWERS,

Plaintiffs

vs.

KATIE K. CLARK: KATY CLARK:  
WILLIAM F. CLARK; and MUTUAL  
BUILDING AND LOAN ASSOCIATION  
OF DUBOIS,

Defendants

NO. 06-950-CD

Type of Case: Action to Quiet Title

Type of Pleading: Motion for Service  
By Advertisement

Filed on behalf of: Plaintiffs

Counsel of Record for this Party:  
David P. King, Esquire  
23 Beaver Drive  
P. O. Box 1016  
DuBois, PA 15801  
(814) 371-3760

Supreme Court No. 22980

FILED  
JUN 14 2006  
Atty King  
100-21301

William A. Shaw  
Prothonotary/Clerk of Courts

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

RICHARD E. POWERS and	:	
JUNE A. POWERS,	:	
Plaintiffs	:	
vs.	:	
	:	NO. _____ C.D.
KATIE K. CLARK; KATY CLARK;	:	
WILLIAM F. CLARK; and MUTUAL	:	
BUILDING AND LOAN ASSOCIATION	:	
OF DUBOIS,	:	
Defendants	:	

MOTION FOR SERVICE BY ADVERTISEMENT

The undersigned, Attorney for Plaintiffs, moves your Honorable Court to enter an appropriate Order to serve the Defendants in this action by advertisement, and in support thereof states that after a reasonable search and investigation, the whereabouts of any and all of the Defendants, their heirs, executors, administrators, successors and assigns, cannot be found, such search and investigation inquiring of telephone directories, voter registration rolls, tax and assessment records, estate records, deed records, miscellaneous records and documents, internet, and the Pennsylvania Department of State.

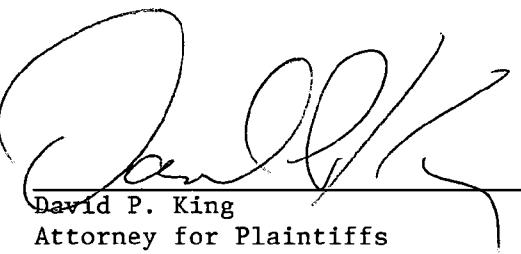
And by signature hereon and verification, the movant does so state.

WHEREFORE, Plaintiffs' Counsel asks for leave to serve as per advertisement for the reasons as stated.

David P. King  
Attorney for Plaintiffs

I verify that the statements made in this Motion for Service by  
Advertisement are true and correct, and that as Attorney, have the permission  
of Plaintiffs to verify the same, and understand that false statements herein  
are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn  
falsification to authorities.

Date: June 12, 2006



\_\_\_\_\_  
David P. King  
Attorney for Plaintiffs

CX

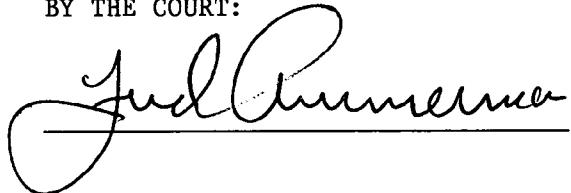
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

RICHARD E. POWERS and :  
JUNE A. POWERS, :  
Plaintiffs :  
vs. : NO. 06-950-CD G.D.  
: :  
KATIE K. CLARK; KATY CLARK: :  
WILLIAM F. CLARK; and MUTUAL :  
BUILDING AND LOAN ASSOCIATION :  
OF DUBOIS, :  
Defendants :  
:

ORDER

AND NOW, this 16<sup>th</sup> day of June, 2006, in consideration of Plaintiffs' Motion to accomplish Service in this Quiet Title Action through Advertisement, the Motion is granted, and it is the Order of this Court that the appropriate Notice be advertised in the Clearfield County Legal Journal, as well as a newspaper in general circulation within the County of Clearfield and Commonwealth of Pennsylvania, one time in each publication.

BY THE COURT:



**FILED** *ICC Atty, King*  
*08:49cm* *ER*  
JUN 19 2006

William A. Shaw  
Prothonotary

**FILED**

JUN 19 2006

William A. Shaw  
Prothonotary

DATE: 6-19-06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

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

RICHARD E. POWERS and  
JUNE A. POWERS,

Plaintiffs

vs.

KATIE K. CLARK; KATY CLARK;  
WILLIAM F. CLARK; and MUTUAL  
BUILDING AND LOAN ASSOCIATION  
OF DUBOIS,

Defendants

NO. 06-950-C.D.

Type of Case: Action to Quiet Title

Type of Pleading: Motion for Default  
Judgment

Filed on behalf of: Plaintiffs

Counsel of Record for this Party:  
David P. King, Esquire  
23 Beaver Drive  
P. O. Box 1016  
DuBois, PA 15801  
(814) 371-3760

Supreme Court No. 22980

FILED

AUG 17 2006

012:20(C)  
William A. Shaw  
Prothonotary

1 CEN. TO AFTS

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

RICHARD E. POWERS and	:
JUNE A. POWERS,	:
Plaintiffs	:
:	:
vs.	: NO. 06-950-C.D.
:	:
KATIE K. CLARK; KATY CLARK:	:
WILLIAM F. CLARK; and MUTUAL	:
BUILDING AND LOAN ASSOCIATION	:
OF DUBOIS,	:
Defendants	:

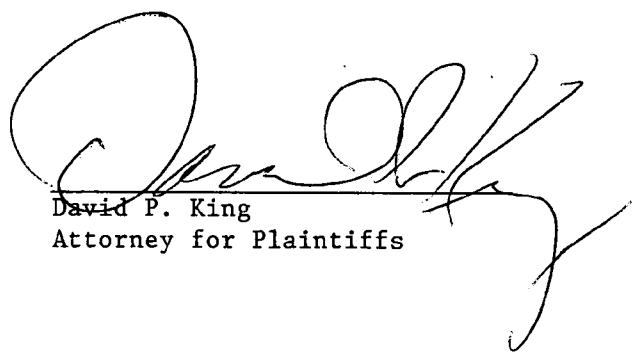
MOTION FOR DEFAULT JUDGMENT

The Plaintiffs, Richard E. Powers and June A. Powers, by their undersigned Attorney, files this Motion for Default Judgment against the Defendants in this matter, and in support thereof avers as follows:

1. That this is an Action to Quiet Title in which the Plaintiffs have requested that the Defendants, and any persons claiming under the Defendants be permanently enjoined and restrained from asserting any claim, interest or lien of mortgage in the real property as described in Plaintiffs' Complaint.
2. Pursuant to Order of Court dated June 16, 2006, the Complaint, containing a Notice to Defend, was served upon all of the Defendants by appropriate advertisement in the Clearfield County Legal Journal, as well as the Courier-Express with Proofs of Publication in original form attached hereto.
3. That such service with the appropriate Notice to Defend was thus complete, and more than twenty days have elapsed with no answer or defense or objections being filed to said Complaint by any of the named Defendants.

WHEREFORE, the Plaintiffs request this Court to enter an Order of Default

Judgment against the Defendants, quieting title, as well as declaring that  
the mortgages of record be marked satisfied, this pursuant to the appropriate  
Rules of Procedure.



David P. King  
Attorney for Plaintiffs

James Oliver to W & I Mortgage Corp  
200610417 \$37,600  
Bethany Hoover to Pennsylvania State  
Employees Credit Union 200610420  
\$41,000  
Iris Rodriguez to Security Atlantic  
Mortgage Co Inc 200610424 \$81,357

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**REPORT OF JUDGMENTS**  
June 19, 2006

Clearfield Bank & Trust Co. vs. Sharon  
L. Hy 2005-1529-CD \$35,391.14  
Worldwide Asset Purchasing vs. Jessica  
L. Burnsworth 2006-702-CD \$10,013.67  
ABN Amro Mortgage Group Inc. vs.  
Michael Patrick, Nicole Kibler 2006-739-CD  
\$69,952.68  
Universal Well Services Inc. vs. Dannic  
Inc. 2006-971-CD \$4,345.21  
Universal Well Services Inc. vs. Dannic  
Inc. 2006-972-CD \$7,193.73  
Universal Well Services Inc. vs. Dannic  
Inc. 2006-973-CD \$43,125.55

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

RICHARD E. POWERS and JUNE A. POWERS, Plaintiffs, vs. KATIE K. CLARK; KATY CLARK; WILLIAM F. CLARK; and MUTUAL BUILDING AND LOAN ASSOCIATION OF DUBOIS, their heirs, successors, administrators and assigns, and/or any persons or entity claiming under them to the herein described premises, Defendants

ACTION TO QUIET TITLE  
NO. 06-950 C.D.

NOTICE

TO THE ABOVE NAMED DEFENDANTS, their heirs, successors and assigns  
YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth, 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 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.

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 GET LEGAL HELP.

COURT ADMINISTRATOR'S OFFICE,  
Clearfield County Courthouse, Clearfield, PA  
16830. (814) 765-2641.

You are hereby notified that an Action to Quiet Title to all that certain piece or parcel of land lying, situated and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit: On the North by Sunflower Alley; on the East by land now or formerly of Gerald V. Portzer, et al.; on the South by Maple Avenue; and on the West by land now or formerly of Anna Kilmer. Being 50 feet in frontage on Maple Avenue and 150 feet in depth to Sunflower Alley.

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed the 16th day of June, 2006, direct that notice of this action be served upon you by advertisement in the Clearfield County Legal Journal as well as a newspaper in general circulation within Clearfield County, PA, and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate Order, forever barred from asserting any right, lien, title or interest or claim of the Plaintiffs as set forth in their Complaint.

DAVID P. KING, ESQUIRE, Attorney for Plaintiffs, 23 Beaver Drive, P.O. Box 1016, DuBois, PA 15801. (814) 371-3760.

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.

#### TAX SALE

Notice is hereby given of the proposed  
private sale by the Clearfield County Tax  
Claim Bureau on a parcel of land in  
OSCEOLA BOROUGH known as Map #  
016-O13-379-00058 and described as: D H  
& L #244 and assessed to: MICHAEL W. &  
SUSAN A. BENNETT.

Sale will be held on AUGUST 16, 2006  
at 9:00 AM in the Tax Claim Bureau, 230 E.  
Market Street, Clearfield. The property will  
be sold free and clear of all tax claims and  
tax judgments. A bid of \$300.00 has been  
received and accepted by the Bureau. Any  
party not satisfied with the accepted sale  
price must, within forty-five days of this  
notice, petition the Court of Common Pleas  
to disapprove the sale.

Clearfield County Tax Claim Bureau,  
230 E. Market Street, Suite 121, Clearfield,  
PA 16830.

ADV: June 16, 2006 & June 30, 2006.

#### EX SALE

the Clearfield County Tax Claim Bureau of the

DESC	MAP#
L61 Sec 7A	128-C02-07A-00061
L62 Sec 7A	128-C02-07A-00062
L63 Sec 7A	128-C02-07A-00063
L67 Sec 7A	128-C02-07A-00067
L75 Sec 7A	128-C02-07A-00075
L76 Sec 7A	128-C02-07A-00076
L79 Sec 7A	128-C02-07A-00079
L80 Sec 7A	128-C02-07A-00080

## 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.

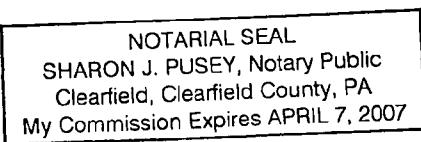


Gary A. Knaresboro, Esquire  
Editor

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

Sharon J. Pusey  
Notary Public

My Commission Expires



David P. King  
PO Box 1016  
DuBois PA 15801

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

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

Approved May 16, 1929, P.L. 1784

SS:

ra, Classified Advertising Supervisor of the Courier-Express/Tri-County and State aforesaid, being duly sworn, deposes and says that the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a Publishing Company at 500 Jeffers Street, City of DuBois, County and State 79, since which date said, the daily publication and the weekly County, and that a copy of the printed notice of publication is attached to the regular editions of the paper on the following dates, viz: the

June A.D. 2006

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

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

*Connie L. Booth*

27<sup>th</sup> day of June, 2006

*Connie L. Booth*

NOTARY PUBLIC

ent of Advertising Cost

**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

DAVID P. KING, ESQUIRE  
Attorney for Plaintiffs  
23 Beaver Drive  
P.O. Box 1016  
DuBois, PA 15801  
(814) 371-3760

6/26/06

David P. King

for or advertisement

above stated dates.....	\$210.60
.....	\$7.50
.....	\$218.10

**Publisher's Receipt for Advertising Costs**

The **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801

Established 1879, Phone 814-371-4200

McLEAN PUBLISHING COMPANY

Publisher of

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

By \_\_\_\_\_

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

ATTORNEY FOR

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

RICHARD E. POWERS and  
JUNE A. POWERS,  
Plaintiffs  
vs.  
KATIE K. CLARK; KATY CLARK:  
WILLIAM F. CLARK; and MUTUAL  
BUILDING AND LOAN ASSOCIATION  
OF DUBOIS,  
Defendants

NO. 06-950-C.D.

FILED 2CC  
0101764 Atty King  
AUG 21 2006  
6K

William A. Shaw  
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 18 day of August, 2006, in accordance  
with Plaintiffs' Motion for Default Judgment in this Action to Quiet Title,  
with appropriate service being made on all of the named Defendants, and no  
Answer having been filed nor Objections or other defenses asserted, it is  
hereby ORDERED that as to the following described property:

523 Maple Avenue, in DuBois, PA, and is further identified in  
the assessment records of Clearfield County by Map No.  
014-000-04273, consisting of H,Shed&L#64. The legal  
description is as follows:

On the North by Sunflower Alley; on the East by land now or  
formerly of Gerald V. Portzer, et al.; on the South by Maple  
Avenue; and on the West by land now or formerly of Anna Kilmer;  
being fifty (50) feet in frontage on Maple Avenue; and one hundred  
and fifty (150) feet in depth to Sunflower Alley.

The rights of Plaintiffs are superior to the rights of all of the  
named Defendants in this matter, as well as their heirs, successors, administrators,  
executors and assigns.

FURTHER, that the Plaintiffs have a fee simple title in the premises  
described herein, and as against all of the Defendants, their heirs, successors  
administrators, executors and assigns.

FURTHER, that all of the said Defendants, their heirs, successors, administrators, executors and assigns are hereby enjoined and barred from setting up any title to the premises described herein, or for making any claim of right, title and interest in the same, or claiming any mortgage lien upon the subject matter premises, and from impeaching, denying or in anyway attacking the title to the Plaintiffs to the premises described,

AND FURTHER, that the following described Mortgages of record, are declared to have been satisfied, and otherwise no longer due and owing, and no longer shall be considered a lien or mortgage upon the subject matter premises:

- (i) Mortgage from Katie K. Clark and William F. Clark to Mutual Building and Loan Association of DuBois for the principal sum of \$600.00, dated the 31st day of December, 1904, and recorded in Mortgage Book 21, at Page 89, on January 5, 1905.
- (ii) Mortgage from Katy (Katie) Clark and William F. Clark to the Mutual Building and Loan Association of DuBois in the principal sum of \$800.00, dated August 16, 1899, and recorded in Mortgage Book 1, Page 263, on August 17, 1899.

WHEREFORE, the Recorder of Deeds of Clearfield County, Pennsylvania, is hereby directed to so note on the record that such Mortgages have been satisfied according herewith.

BY THE COURT:

Paul Canner