

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

JAMES R. BROWN and VIRGINIA C.
BROWN, Plaintiffs,

-VS-

PHILIPS BUILDING & LOAN
ASSOCIATION, Defendant

No. 06-1093 - CD

Type of Case: Civil

Type of Pleading:
COMPLAINT IN ACTION TO
QUIET TITLE

Filed on behalf of:
Plaintiffs

Counsel of Record for
this Party:

Andrew P. Gates, Esquire

Supreme Court No.: 36604

GATES & SEAMAN
2 North Front St.
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED 100
JUL 10 2006 10:55 AM
Atty Gates
Atty pd. 95.00
William A. Shaw
Prothonotary/Clerk of Courts

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

JAMES R. BROWN and VIRGINIA C.	:		
BROWN, Plaintiffs	:	No. 06 -	- CD
	:		
-vs-	:	ACTION TO QUIET TITLE	
	:		
PHILIPS BUILDING & LOAN	:		
ASSOCIATION, Defendant	:		

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, 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 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, 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.

DAVID S. MEHOLICK, COURT ADMINISTRATOR
Clearfield County Court House
Clearfield, PA 16830
(814) 765-2641, Ext. 1303

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

JAMES R. BROWN and VIRGINIA C. :
BROWN, Plaintiffs : No. 06 - - CD
 :
-vs- : ACTION TO QUIET TITLE
 :
PHILIPS BUILDING & LOAN :
ASSOCIATION, Defendant :

COMPLAINT

NOW COME, Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, by their attorney, Andrew P. Gates, Esquire, of Gates & Seaman, Attorneys at Law, and set forth the following causes of action against the named Defendant herein and assert as follows:

1. Plaintiff, JAMES R. BROWN, is an adult individual, presently residing in Clearfield County, Pennsylvania, with a current mailing address of P. O. Box 53, Morrisdale, Pennsylvania 16858.

2. Plaintiff, VIRGINIA C. BROWN, is an adult individual, presently residing in Clearfield County, Pennsylvania, with a current mailing address of P. O. Box 20, Kylertown, Pennsylvania 16847.

3. Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, is believed to be a corporation which, at one time, was organized and existing under the laws of the Commonwealth of Pennsylvania, but whose whereabouts and continuing existence is unknown, but according to prior documents filed of public record, said Defendant at one time had a office in Philipsburg (Centre County), Pennsylvania.

4. The subject matter of this Action to Quiet Title is a rectangular shaped parcel of real estate situate in the Village of Hawk Run, Morris Township, Clearfield County, Pennsylvania, which is more particularly described as set forth on Exhibit "A" which is attached hereto and made a part hereof.

5. Plaintiffs became the owners of the premises described in Exhibit "A" by virtue of a Deed from Bertha Patrick, single, dated May 1, 2000 and appearing of record as Clearfield County Instrument No. 200006104, with said premises being described therein as "THE SECOND THEREOF".

6. Previously, Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, became vested with the premises in question by virtue of the deed from Percy E. Smith, High Sheriff of Clearfield County, Pennsylvania, dated October 26, 1926 and appearing of record in Clearfield County Deed Book 284, Page 30, with the premises in question being described as the first parcel therein.

7. Thereafter, the premises in question were conveyed by Harry Patrick, widower, to Andrew L. Patrick, Bertha Patrick and Elizabeth Moslak, by deed dated March 19, 1946 and recorded in Clearfield County Deed Book 397, Page 368.

8. In the recital following the description of the premises in question in the deed described in the preceding paragraph, it is set forth that the premises in question were sold and conveyed unto Harry Patrick, the grantor therein, by

Philips Building & Loan Association by their corporate deed dated May 23, 1930 and not yet but intended to be recorded. A photocopy of the deed dated March 19, 1946 and appearing of record in Clearfield County Deed Book 397, Page 368, is attached hereto and made a part hereof as Exhibit "B".

9. Despite the reference in the recital in the deed described in the preceding two paragraphs herein, no deed appears of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, from Defendant, PHILIPS BUILDING & LOAN ASSOCIATION to Harry Patrick.

10. Thereafter, Andrew L. Patrick died intestate as a resident of Centre County, Pennsylvania on March 27, 1986, and under the laws of intestacy of the Commonwealth of Pennsylvania, said decedent's one-third ($1/3^{\text{rd}}$) interest in the premises in question did devolve to his surviving widow, Veronica Patrick, and a son, George N. Patrick, as said decedent's nearest next of kin.

11. Thereafter, by deed dated March 15, 1990 and appearing of record in Clearfield County Deeds and Records Book 1366, Page 233, Elizabeth Moslak, et ux, Veronica Patrick, widow, and George N. Patrick, et ux, granted and conveyed unto Bertha Patrick, single, all their right, title and interest in the premises in question with said premises being described therein as THE SECOND THEREOF.

12. Thus, following recording of the deed identified in the preceding paragraph, sole title to the premises in question vested in Bertha Patrick, single.

COUNT I

13. Paragraphs 1 through 12 hereof are incorporated herein by reference, as though set forth at length.

14. Due to the fact that no deed appears of record for the premises in question from Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, to Harry Patrick, as alluded to in Paragraphs 8 and 9 hereof, it is necessary that this Quiet Title Action be filed in order to clarify Plaintiffs' title in the premises described in Exhibit "A" and otherwise to extinguish any right, title and interest which could be claimed by Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns, with respect to the ownership of said premises.

WHEREFORE, Plaintiffs request this Honorable Court to:

(a) determine that Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, are seized of an indefeasible title to the premises described in Exhibit "A";

(b) order Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns, and any other party having any claim to the premises described herein, to bring an action in ejectment to establish their claim to said premises within a time set by the Court, or forever be barred from asserting any

right, title and interest in said premises as described in Exhibit "A", inconsistent with the title of the Plaintiffs;

(c) enter such judgment as may be necessary in establishing an indefeasible title in Plaintiffs in the premises described in Exhibit "A";

(d) permanently enjoin Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns, and any other persons or parties acting by, for, or on their behalf from interfering with or obstructing Plaintiffs' interest in the premises described in Exhibit "A";

(e) enter an Order determining that title to the premises in question previously passed from Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, to Andrew Patrick by virtue of a deed dated May 23, 1930; and

(f) grant such other relief as this Court may deem appropriate and just.

COUNT II

15. Plaintiffs hereby incorporate by reference Paragraphs 1 through 14 hereof as though set forth at length herein.

16. Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, and their predecessors in title, have been in actual, continuous, open, exclusive, visible, notorious, distinct and hostile possession of the premises described in Exhibit "A" for more than twenty-one (21) years.

17. During the period of Plaintiffs' adverse possession described in Paragraph 16 hereof, neither Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, nor their successors and/or assigns, nor any other party claiming any right to said premises have possessed the premises described in Exhibit "A", under any claim, right or title.

WHEREFORE, Plaintiffs request this Honorable Court to:

a. determine that Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, are seized of an indefeasible title to the said premises as described in Exhibit "A";

b. order Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, their successors and/or assigns, and any other party having any claim to the premises described herein, to bring an action in Ejectment to establish their claim to said premises within a time set by the Court, or forever be barred from asserting any right, title and interest in said premises as described in Exhibit "A", inconsistent with the title of the Plaintiffs;

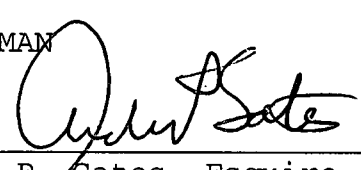
c. enter such judgment as may be necessary in establishing an indefeasible title in Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, in said premises as described in Exhibit "A";

d. permanently enjoin Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns, and any persons or parties acting by, for or on their behalf from interfering with or obstructing Plaintiffs' interests in the premises described in Exhibit "A"; and

e. grant such other relief as this Honorable Court may
deem appropriate and just.

GATES & SEAMAN

BY: _____


Andrew R. Gates, Esquire
Attorney for James R. Brown
and Virginia C. Brown, Plaintiffs

Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

ALL that certain tract or parcel of ground situate in the Village of Hawk Run, Township of Morris, County of Clearfield and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to-wit:

BEGINNING at a corner of public road; thence along the line of land formerly of James Divens one hundred (100) feet to a post; thence by line of land formerly of James Divens fifty-two (52) feet to a post; thence back by a parallel line one hundred (100) feet to the line of road; thence along the line of said road fifty-two (52) feet to the place of beginning.

EXHIBIT "A"

397-369

DOCUMENTARY

DOCUMENTARY

Certificate of Residence

I hereby certify, that the precise residence of the grantee herein is as follows:
 Morris Township, Clearfield County, Penna. (Hank Run, Penna.)

[Signature]
 J. M. [unclear] Clerk of the [unclear]

Commonwealth of Pennsylvania } ss:
 County of *Clearfield*

On this, the *31* day of *June* 19*17*, before me,
 the undersigned officer, personally appeared
Harry Patrick, a resident

known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office this *31* day of *June* 19*17*.

[Signature]
 J. M. [unclear] Clerk of the [unclear]

Entered of Record *[unclear]* 1917, 9-17 AM *PHILPSBURG PA.*

This Deed

Made this *31* day of *June* 19*17* at *Clearfield* and *Clearfield* County, Pennsylvania.

Between *William Keckhorn Dixon of the Borough of Clearfield and Alvin Dixon, her husband of the township of Cooper, both of the County of Clearfield and State of Pennsylvania, parties of the first part,*

and *Harry Patrick of the Borough of Clearfield, County of Clearfield and State of Pennsylvania, party of the second part, Grantee*

Witnesseth, that each of the parties of the first part, for and in consideration of the sum of *one dollar (\$1.00)* to each of the parties of the second part, the receipt of which is hereby acknowledged, the said grantor

grant and convey to the said grantee, all that certain lot or piece of ground situate in the Borough of Clearfield, County of Clearfield and State of Pennsylvania bounded and described as follows:

Beginning at a point on Eighth Street the corner of Lot No. 8; thence along the boundary line of Lot No. 8 one hundred fifty (150) feet to a post on the Township Road to Woodland; thence along said Woodland Road one hundred thirty-five and five-tenths (135.5/10) feet to a post on Eighth Street; thence along Eighth Street forty (40) feet to the place of beginning, being a lot forty (40) feet front on Eighth Street and containing to a point in the alley in the rear and being known as Lot No. 9 in the recorded plan of the Walker and Henthelots in the First End of Clearfield.

VERIFICATION

I, JAMES R. BROWN, verify that I am one of the Plaintiffs in the within action, and that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I the undersigned understand that false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.



James R. Brown

Date: 7/1/06

VERIFICATION

I, VIRGINIA C. BROWN, verify that I am one of the Plaintiffs in the within action, and that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I the undersigned understand that false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

Virginia C. Brown
Virginia C. Brown

Date: 7/1/06

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

JAMES R. BROWN and VIRGINIA C.
BROWN, Plaintiffs

-vs-

PHILIPS BUILDING & LOAN
ASSOCIATION, Defendant

No. 06 -1093 - CD

ACTION TO QUIET TITLE

MOTION

AND NOW, this 10th day of July, 2006, an
Affidavit (attached hereto and made a part hereof as Exhibit
"A") having been executed and verified on behalf of Plaintiffs,
that despite an extensive investigation therein specifically
detailed, the identity, whereabouts and continuing existence of
Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors
and/or assigns, is unknown to Plaintiffs. Since the whereabouts
and continuing existence of the named Defendant are unknown to
Plaintiffs, they are unable to effectuate service as provided by
Pa. R.C.P. § 400 et seq.

Therefore, Plaintiffs, by their attorneys, Gates & Seaman,
move this Honorable Court for an Order directing that service of
process be effectuated upon named Defendant, PHILIPS BUILDING &
LOAN ASSOCIATION, its successors and/or assigns, by publication
as provided by Pa.R.C.P. § 430(b)(1).

GATES & SEAMAN
By:

Andrew P. Gates, Esquire
Attorney for Plaintiffs

Two North Front St./P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED 1cc
0/10:58/ Amy Gates
JUL 10 2006

William A. Shay
Prothonotary/Clerk of Courts

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

JAMES R. BROWN and VIRGINIA C. :
BROWN, Plaintiffs : No. 06 - - CD
 :
-vs- : ACTION TO QUIET TITLE
 :
PHILIPS BUILDING & LOAN :
ASSOCIATION, Defendant :

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
 : SS:
COUNTY OF CLEARFIELD :

Andrew P. Gates, Esquire, being duly sworn according to law, deposes and states that he makes this Affidavit on behalf of Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, as to the nature and extent of the investigation made to ascertain the existence and whereabouts of Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns:

1. Other than as set forth in the Complaint, the undersigned, by and through his staff and abstractors, examined the current Clearfield County Assessment records for any assessments titled in the name of Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, and, there are no current assessments for said Defendant.

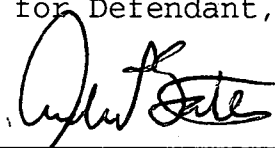
2. Furthermore, a review was also made of the 1942 Miscellaneous Docket in the Prothonotary's Office for any other Quiet Title Actions filed versus Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, and nothing of record appears which would inform counsel of said Defendant's address, continuing existence or whereabouts, or the existence and whereabouts of any successors and/or assigns of said Defendant.

3. A check was also made of the local telephone directory in regards to Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, and there is no record or listing of this Defendant.

4. A check was made from 1975 to present of the Clearfield County Deed, Mortgage, Miscellaneous, Deeds and Records indices and on the Landex Computer System in the Clearfield County Recorder of Deeds Office, and nothing could be located establishing the whereabouts and/or last mailing address of the named Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns.

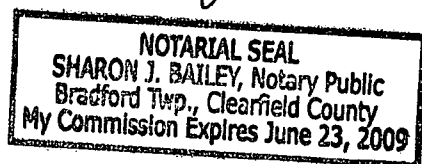
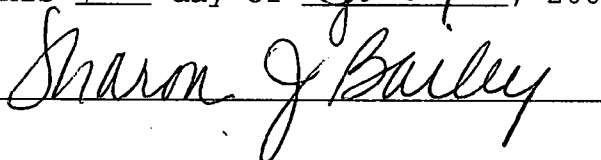
5. The staff of the undersigned conducted an internet search through the Pennsylvania Corporation Bureau as to the registration, existence and/or an address for Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, and said undersigned's staff informed that the only information available was a 1923 registration for said entity with the only address being Philipsburg, Pennsylvania.

6. The undersigned's staff also checked with the U. S. Postal Authorities in Philipsburg, Pennsylvania, being the last known municipality address for said entity, and said postal authorities had no address or listing for Defendant, PHILIPS BUILDING & LOAN ASSOCIATION.



Andrew P. Gates, Esquire

Sworn to and subscribed before me
this 10th day of July, 2006.



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

JAMES R. BROWN and VIRGINIA C.
BROWN, Plaintiffs

-vs-

PHILIPS BUILDING & LOAN
ASSOCIATION, Defendant

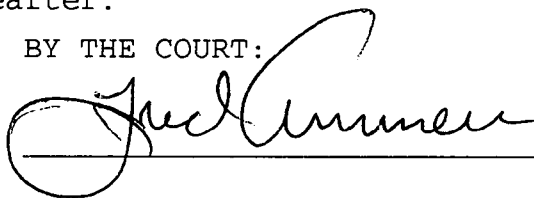
No. 06 - 1093 - CD

ACTION TO QUIET TITLE

O R D E R

AND NOW, this 11th day of July, 2006, the within action being an Action to Quiet Title and Plaintiffs, having satisfied the Court by virtue of an Affidavit stating that a sufficient investigation had been conducted to determine the whereabouts and continuing existence of Defendant, PHILIPS BUILDING & LOAN ASSOCIATION, its successors and/or assigns, but the same remains unknown to Plaintiff, on Motion of Gates & Seaman, Attorneys for Plaintiff, IT IS ORDERED AND DECREED that service of process in the above captioned proceeding be made by publication by giving notice in **THE PROGRESS**, a newspaper of general circulation in the County of Clearfield and also for Philipsburg Borough, Centre County, Pennsylvania, on one occasion, and also in the **CLEARFIELD COUNTY LEGAL JOURNAL** on one occasion, to said Defendant, its successors and/or assigns, and anyone claiming any interest in said premises, stating in said publication that an Action to Quiet Title has been filed and the same must be pled to within twenty (20) days after publication of the last notice as provided herein, and further, upon granting relief to Plaintiffs by the Court, the said Defendant, its successors and/or assigns, or anyone claiming an interest, lien, right or title in said premises shall be forever barred if they fail to take such action as the Order of Court may direct within thirty (30) days thereafter.

BY THE COURT:



FILED
JUL 12 2006

1cc
Atty Gates
CR

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

JAMES R. BROWN and VIRGINIA C.:
BROWN, Plaintiffs,

-vs-

PHILIPS BUILDING & LOAN
ASSOCIATION, Defendant

: No. 06- 1093 - CD
: ACTION TO QUIET TITLE
:
: Type of Case: Civil
:
: Type of Pleading:
: PETITION FOR JUDGMENT
: and ORDER
:
: Filed on behalf of:
: Plaintiff
:
: Counsel of Record for
: this Party:
:
: Andrew P. Gates, Esquire
:
:
: Supreme Court No.: 36604
:
: GATES & SEAMAN
: 2 North Front St.
: P.O. Box 846
: Clearfield, PA 16830
: (814) 765-1766

FILED NO
013:2601 CC
AUG 17 2006 GK

William A. Shaw
Prothonotary/Clerk of Courts

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

JAMES R. BROWN and VIRGINIA C.	:	
BROWN, Plaintiffs	:	No. 06 - 1093 - CD
	:	
-vs-	:	ACTION TO QUIET TITLE
	:	
PHILIPS BUILDING & LOAN	:	
ASSOCIATION, Defendant	:	

PETITION FOR JUDGMENT

TO THE HONORABLE FREDRIC J. AMMERMAN,
PRESIDENT JUDGE OF SAID COURT:

The Petition of Gates & Seaman, Attorneys for Plaintiffs in
the above-captioned action, respectfully represents:

1. Your Petitioner is the attorney of record for
Plaintiffs, James R. Brown and Virginia C. Brown, in the above-
captioned proceedings.

2. By Order of Court of Fredric J. Ammerman, President
Judge, dated July 11, 2006, service of the Complaint in the
above-captioned proceedings by publication was authorized by
giving notice in The Progress and Clearfield County Legal
Journal to Defendant, Philips Building & Loan Association, its
successors and/or assigns, and anyone claiming any interest,
right or title to the premises described in Plaintiff's
Complaint, on one (1) occasion and further ordering that said
action must be pled to within twenty(20) days after the last
publication of said Notice.

3. Publication in accordance with the Order referred to in
Paragraph 2 hereof was made in The Progress on July 18, 2006,
and in the Clearfield County Legal Journal in the issue dated

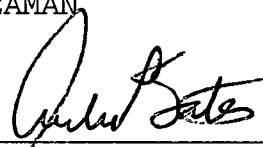
July 21, 2006. Copies of the said Notices as advertised and proofs of publication thereof are attached hereto as Exhibits "A" and "B" and made a part hereof.

4. That no appearance or pleadings have been entered or filed on behalf of Defendant, Phillips Building & Loan Association, or otherwise and more than twenty (20) days have elapsed since the last date of publication.

WHEREFORE, Plaintiffs, James R. Brown and Virginia C. Brown, by their attorneys, Gates & Seaman, move this Honorable Court to enter judgment in favor of Plaintiffs, James R. Brown and Virginia C. Brown, and against Defendant, Philips Building & Loan Association, their successors and assigns and any other parties claiming any right, title or interest in the premises described herein in accordance with the prayer of Plaintiffs' Complaint and Pa. R.C.P. §1066.

GATES & SEAMAN

By:



Andrew P. Gates, Esquire
Attorney for Plaintiffs

Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

Date:

August 17, 2006

NOTICE

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

JAMES R. BROWN and VIRGINIA C. BROWN, Plaintiffs	:	No. 06 - 1093 - CD
	:	
-VS-	:	ACTION TO QUIET TITLE
	:	
PHILIPS BUILDING & LOAN ASSOCIATION, Defendant	:	

LEGAL NOTICE

TO: DEFENDANT, PHILIPS BUILDING & LOAN ASSOCIATION,
its successors and/or assigns:

You are hereby notified that the Plaintiffs listed above have filed a Complaint in an Action to Quiet Title regarding title to certain premises situate in the Village of Hawk Run, Morris Township, Clearfield County, Pennsylvania, said land being more particularly bounded and described as follows:

ALL that certain tract or parcel of ground situate in the Village of Hawk Run, Township of Morris, County of Clearfield and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to-wit:

BEGINNING at a corner of public road; thence along the line of land formerly of James Divens one hundred (100) feet to a post; thence by line of land formerly of James Divens fifty-two (52) feet to a post; thence back by a parallel line one hundred (100) feet to the line of road; thence along the line of said road fifty-two (52) feet to the place of beginning.

TAKE NOTICE that the Plaintiffs are the owners of the land described hereinabove and that they have requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in them, free and clear of the claims of the Defendant, its successors and/or assigns, and any other person or parties claiming or who might claim title under it, and all other persons or parties claiming any right, title or interest in the land described, or anyone claiming by, through or under it.

Should the above named Defendant, its successors and/or assigns, or any other person or party claiming or who might claim title under it, or all other persons or parties claiming any right, title or interest in the land described herein fail to plead to the Plaintiffs' Complaint within twenty (20) days from the last publication of this Notice, said Defendants, its successors and/or assigns, and any other person or party claiming or who might claim title under it, and all other persons or parties claiming

any right, title or interest in the land described, except the Plaintiffs, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their heirs, personal representatives and assigns.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses 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, 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.

David S. Meholick, Court Administrator
Clearfield County Court House
Clearfield, Pennsylvania 16830
Telephone: (814) 765-2641, Ext. 1303

GATES & SEAMAN
2 North Front Street
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766
Attorneys for Plaintiffs,
James R. Brown and Virginia C. Brown

NOTICE
IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW
No. 06-1093-CD
ACTION TO
QUIET TITLE

JAMES R. BROWN
and VIRGINIA C. BROWN,
Plaintiffs

vs.
PHILIPS BUILDING
& LOAN ASSOCIATION,
Defendant

LEGAL NOTICE
TO: DEFENDANT, PHILIPS
BUILDING & LOAN ASSOCIATION,
its successors and/or assigns:

You are hereby notified that the
Plaintiffs listed above have filed a
Complaint in an Action to Quiet Title
regarding title to certain premises
situate in the Village of Hawk Run,
Morris Township, Clearfield
County, Pennsylvania, said land
being more particularly bounded
and described as follows:

ALL that certain tract or parcel of
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Hawk Run, Township of Morris,
County of Clearfield and Common-
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BEGINNING at a corner of public
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James Divens fifty-two (52) feet to
a post; thence back by a parallel line
one hundred (100) feet to the line
of road; thence along the line of said
road fifty-two (52) feet to the place
of beginning.

TAKE NOTICE that the Plaintiffs
are the owners of the land de-
scribed hereinabove and that they
have requested in their Complaint
which is on file in the Office of the
Prothonotary of the Court of Com-
mon Pleas of Clearfield County,
that the Court decree that the title to
the same is in them, free and clear
of the claims of the Defendant, its
successors and/or assigns, and
any other person or parties claiming
or who might claim title under it, and
all other persons or parties claiming
any right, title or interest in the land
described, or anyone claiming by,
through or under it.

Should the above named Defen-
dant, its successors and/or assigns,
or any other person or party claim-
ing or who might claim title under it,
or all other persons or parties claim-
ing any right, title or interest in the
land described herein fail to plead to
the Plaintiffs' Complaint within
twenty (20) days from the last publi-
cation of this Notice, said Defen-
dants, its successors and/or as-
signs, and any other person or
party claiming or who might claim ti-
tle under it, and all other persons or
parties claiming any right, title or in-
terest in the land described, except
the Plaintiffs, will be forever barred
from asserting any interest, lien,
right or title to the said land, incon-
sistent with the Plaintiffs, their
heirs, personal representatives and
assigns.

If you wish to defend, you must
enter a written appearance person-
ally or by attorney and file your de-
fenses or objections in writing with
the Court. You are warned that if

if you wish to defend, you must
enter a written appearance person-
ally or by attorney and file your de-

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 28th day of July, 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 July 18, 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

If you wish to defend, you must
enter a written appearance person-
ally or by attorney and file your de-
fenses or objections in writing with
the Court. You are warned that if
you fail to do so the case may pro-
ceed without you and a judgment
may be entered against you without
further notice for the relief re-
quested by the Plaintiffs. You may
lose money or property or other
rights important to you.

YOU SHOULD TAKE THIS PA-
PER 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 HIR-
ING 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 LE-
GAL SERVICES TO ELIGIBLE
PERSONS AT A REDUCED FEE
OR NO FEE.

David S. Meholic,
Court Administrator
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone: (814) 765-2641,
Ext. 1303

GATES & SEAMAN
2 North Front Street
P.O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766

Attorneys for Plaintiffs
James R. Brown
and Virginia C. Brown


PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:


COUNTY OF CLEARFIELD :

On this 21st day of July 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 July 21, 2006, Vol. 18 No. 29. 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

Gates & Seaman
PO Box 846
Clearfield PA 16830

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

JAMES R. BROWN and VIRGINIA C.
BROWN, Plaintiffs VS PHILIPS BUILDING
& LOAN ASSOCIATION, Defendant
No. 06-1093-CD

**ACTION TO QUIET TITLE
LEGAL NOTICE**

TO: DEFENDANT, PHILIPS BUILDING
& LOAN ASSOCIATION, its successors
and/or assigns:

You are hereby notified that the Plaintiffs listed above have filed a Complaint in an Action to Quiet Title regarding title to certain premises situate in the Village of Hawk Run, Morris Township, Clearfield County, Pennsylvania, said land being more particularly bounded and described as follows:

ALL that certain tract or parcel of ground situate in the Village of Hawk Run, Township of Morris, County of Clearfield and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to-wit:

BEGINNING at a corner of public road; thence along the line of land formerly of James Divens one hundred (100) feet to a post; thence by line of land formerly of James Divens fifty-two (52) feet to a post; thence back by a parallel line one hundred (100) feet to the line of road; thence along the line of said road fifty-two (52) feet to the place of beginning.

TAKE NOTICE that the Plaintiffs are the owners of the land described hereinabove and that they have requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in them, free and clear of the claims of the Defendant, its successors and/or assigns, and any other person or parties claiming or who might claim title under it, and all other persons or parties claiming any right, title or interest in the land described, or anyone claiming by, through or under it.

Should the above named Defendant, its successors and/or assigns, or any other person or party claiming or who might claim title under it, or all other persons or parties claiming any right, title or interest in the land described herein fail to plead to the Plaintiffs' Complaint within twenty (20) days from the last publication of this Notice, said Defendants, its successors and/or assigns, and any other person or party claiming or who might claim title under it, and all other persons or parties claiming any right, title or interest in the land described, except the Plaintiffs, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their heirs, personal representatives and assigns.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses 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, 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.

David S. Meholick, Court Administrator,
Clearfield County Court House, Clearfield,
Pennsylvania 16830. Telephone: (814) 765-2641, Ext. 1303.

GATES & SEAMAN, 2 North Front
Street, P. O. Box 846, Clearfield, Pennsylvania 16830, (814) 765-1766, Attorneys for Plaintiffs, James R. Brown and Virginia C. Brown.

COMMONWEALTH OF PENNSYLVANIA

:

:SS.

COUNTY OF CLEARFIELD

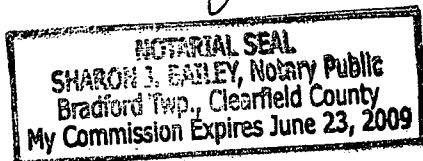
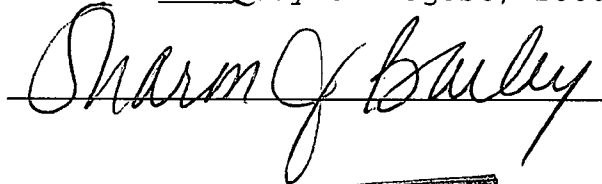
:

ANDREW P. GATES, ESQUIRE, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition for Judgment are true and correct to the best of his knowledge, information and belief.



Andrew P. Gates

Sworn to and subscribed before
me this 17th day of August, 2006.



FILED

01/09/07/2011
AUG 21 2006

William A. Shaw
Prothonotary/Clerk of Courts

cc
Amy Gates

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

JAMES R. BROWN and VIRGINIA C. :
BROWN, Plaintiffs : No. 06 - 1093 - CD
:
-vs- : ACTION TO QUIET TITLE
:
PHILIPS BUILDING & LOAN :
ASSOCIATION, Defendant :

ORDER

AND NOW, this 18 day of August, 2006, a Petition having been considered and the Court being advised that no pleadings or appearances have been filed by or on behalf of Defendant, Philips Building & Loan Association and/or by any other parties claiming any right, title or interest in the premises described herein, and in accordance with Order of Court dated July 11, 2006, except Plaintiffs claiming an interest, lien, right or title to all that certain piece or parcel of land situate in the Village of Hawk Run, Morris Township, Clearfield County, Pennsylvania, as is more fully described in Exhibit "A", which is attached hereto and made a part hereof.

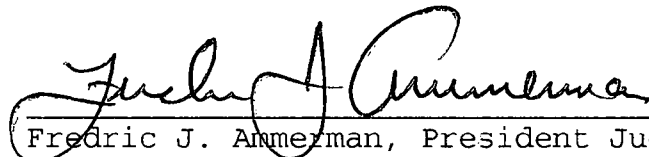
IT IS ORDERED AND DECREED that Defendant, Philips Building & Loan Association, its successors and assigns, and anyone claiming an interest, lien, right or title in the said premises inconsistent with the interest or claim of Plaintiffs as set forth in their Complaint, shall be forever barred, unless appropriate action is taken by said Defendant, its successors or assigns, or anyone claiming an adverse interest, lien, right or title inconsistent with the interest, title or claim of Plaintiffs, within thirty (30) days from the date of this Order.

Upon failure of said Defendant, its successors or assigns, or anyone claiming an adverse interest, lien, right or title in said premises to take appropriate action as provided by this Order, the Prothonotary of Clearfield County is directed to enter final judgment for Plaintiffs, as to the premises described in Exhibit "A", upon the expiration of the thirty (30) day period, upon Praecipe by Plaintiffs' counsel, and upon Final Judgment, Plaintiffs shall be seized of an indefeasible title to said premises as aforesaid. Furthermore, upon entry of final Judgment, it is also ORDERED AND DECREED that:

(a) Defendant, Philips Building & Loan Association, its successors and assigns and any other person or party are permanently enjoined from interfering with or obstructing Plaintiffs' interest in the premises described in Exhibit "A"; and

(b) Title to the premises described in Exhibit "A" previously passed from Defendant, Philips Building & Loan Association, to Andrew Patrick by virtue of a deed dated May 23, 1930 which does not appear of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT:


Fredric J. Ammerman, President Judge

ALL that certain tract or parcel of ground situate in the Village of Hawk Run, Township of Morris, County of Clearfield and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to-wit:

BEGINNING at a corner of public road; thence along the line of land formerly of James Divens one hundred (100) feet to a post; thence by line of land formerly of James Divens fifty-two (52) feet to a post; thence back by a parallel line one hundred (100) feet to the line of road; thence along the line of said road fifty-two (52) feet to the place of beginning.

EXHIBIT "A"

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

JAMES R. BROWN and VIRGINIA C.
BROWN, Plaintiffs,

-VS-

PHILIPS BUILDING & LOAN
ASSOCIATION, Defendant

No. 06- 1093 - CD

Type of Case: Civil

Type of Pleading:
PRAECIPE FOR JUDGMENT

Filed on behalf of:
Plaintiff

Counsel of Record for
this Party:

Andrew P. Gates, Esquire

Supreme Court No.: 36604

GATES & SEAMAN
2 North Front St.
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED No. CC
012-2581
SEP 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JAMES R. BROWN and VIRGINIA C.
BROWN, Plaintiffs

-vs-

PHILIPS BUILDING & LOAN
ASSOCIATION, Defendant

No. 06 - 1093 - CD

ACTION TO QUIET TITLE

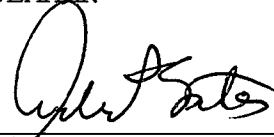
PRAECIPE FOR JUDGMENT

TO: WILLIAM A. SHAW, PROTHONOTARY:

Enter Final Judgment in favor of Plaintiffs and against Defendant, Phillips Building & Loan Association, its successors and assigns, and any other parties claiming any right, title or interest in the premises in question in the above-captioned matter for failure of the named Defendant to comply with the Order of Court dated August 18, 2006, entered in the above-captioned proceedings, which Order decreed that Final Judgment be entered for Plaintiffs, JAMES R. BROWN and VIRGINIA C. BROWN, as to the premises described in Exhibit "A" attached to said Order and which Order otherwise provides Plaintiffs are seized of an indefeasible title to said premises so described.

GATES & SEAMAN

By:



Andrew P. Gates, Esquire
Attorney for Plaintiffs, James R.
Brown and Virginia C. Brown

Date: September 19, 2006.