

06-1131-CD
G.L.W.D. LP vs Clfd Bd of Assessment

2006-1131-CD
G.L.W.D. vs Clfd Co Board of Assess

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P.,

Appellant

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee

: No. 06 - 1131 C.D.

:

: Type of Case: APPEAL FROM DECISION
: OF THE CLEARFIELD COUNTY BOARD
: OF ASSESSMENT APPEALS

:

: Type of Pleading: NOTICE OF APPEAL
: FROM THE DECISION OF THE
: CLEARFIELD COUNTY BOARD OF
: ASSESSMENT APPEALS

:

: Filed on Behalf of: G.L.W.D. L.P., Appellant

: Counsel of Record for Appellant:

: PAULA M. CHERRY, ESQ.
: Supreme Court No.: 36023

: GLEASON, CHERRY AND
: CHERRY, L.L.P.
: Attorneys at Law
: P. O. Box 505
: One North Franklin Street
: DuBois, PA 15801

: (814) 371-5800

Paula 7.18.06
7.18.06
w/advise me
in a couple of
Sched wks - 1/2 for
now
Pre-Trial Conf.
One Trial Conf.
Chk amt. of time
w/ Paula Cherry

FILED 6cc
014:00/61 Atty P. Cherry
JUL 14 2006
Atty pd.
William A. Shaw
Prothonotary/Clerk of Courts
85.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P.,	:
Appellant	:
vs.	:
	:
	:
CLEARFIELD COUNTY BOARD OF	:
ASSESSMENT APPEALS,	:
Appellee	

NOTICE OF APPEAL FROM DECISION OF THE
CLEARFIELD COUNTY BOARD OF ASSESSMENT APPEALS

AND NOW, comes the Appellant, G.L.W.D. L.P., Appellant, by and through its attorneys, GLEASON, CHERRY AND CHERRY, L.L.P., and files this Appeal in accordance with the provisions of Section 704 of the Act of 1943, May 21, P.L. 571, 72 P.S. §5453.704, as amended, and, in support of which, avers the following:

1. Appellant, G.L.W.D. L.P., is a Limited Partnership established under the laws of the Commonwealth of Pennsylvania, with a business office located at 33 Beaver Drive, DuBois, Clearfield County, Pennsylvania.
2. Appellee, CLEARFIELD COUNTY BOARD OF ASSESSMENT APPEALS, is a municipal board established in accordance with The Fourth to Eighth Class County Assessment Law, Act of May 21, 1943, P.L. 571, Art. I, Section 101, *et seq.* (72 P.S. §5453.101, *et seq.*), having an office at the Clearfield County Courthouse Annex, 230 East Market Street, Suite

117, Clearfield, Pennsylvania 16830, and is authorized to hear appeals from parties aggrieved by the assessment and valuations made by the Clearfield County Assessment Office.

3. That the Appellant is the owner of commercial real estate consisting of a building and 2.02 acres of land situate in the Third Ward of the City of DuBois, Clearfield County, Pennsylvania, and being identified on the assessment maps of Clearfield County as Parcel No. 03-000-10612A.

4. That for the year of 2006, the Clearfield County Assessment Office determined that the market value of said real estate was \$1,135,300.00 with an assessed valuation of \$283,825.00.

5. Appellant duly appealed from this assessment to the Clearfield County Board of Assessment Appeals and after hearing thereon held on June 8, 2006, the Clearfield County Board of Assessment Appeals reduced the market valuation to \$1,062,400.00 and reduced the assessed valuation to \$265,600.00. A true and correct copy of the Notice of Board Action dated June 15, 2006, is attached hereto and made a part hereof as Exhibit "A".

6. This Notice of Appeal is herewith presented within thirty (30) days from the date of the Board's Notice.

7. Appellant is aggrieved by the Decision of Appellee, and avers that the assessment must be further reduced.

8. Appellant avers the following reasons in support of this Appeal:

(a) The fair market value upon which the assessment is based is in excess of the actual fair market value of the property and contrary to the evidence presented by Appellant's experts at the time of the Appeal;

(b) Appellee failed to properly determine the current fair market value of the property in accordance with §602(a) of the Act of 1943, May 21, P.L. 571, 72 P.S. §5453.602(a), as amended;

(c) Appellee failed to follow the mandate of §702(b) of the Act of 1943, May 21, P.L. 571, P.S. §5453.702(b), as amended;

(d) The assessment appealed from is excessive, illegal and in violation of the Act of May 21, P.L. 571, 72 P.S. §5453.101, *et seq.*, as amended, The Uniformity Clause, Article 8, Section 1 of the Pennsylvania Constitution, and the Equal Protection and Due Process Clauses of the United States Constitution.

(e) The assessment is prejudicial and discriminatory and lacking in uniformity with the assessments of other real property within Clearfield County and within the City of DuBois;

(f) The ratio of assessed value to market value is in excess of the ratio commonly prevailing in the City of DuBois and Clearfield County;

(g) the assessment and market valuation ignored the uncontradicted evidence that much of the building is not finished and not capable at the present time of being used for any purpose;

(h) the assessment is arbitrary, capricious, improper, inequitable, unjust and unfair; and

(i) the total assessment does not properly allocate between land and building.

WHEREFORE, Appellant, G.L.W.D. L.P., being aggrieved by the Decision of the Clearfield County Board of Assessment Appeals, files this Notice of Appeal and requests Your

Honorable Court to set aside the Decision of the Clearfield County Board of Assessment Appeals and to decrease the assessment of said property to such amount as may be right and proper.

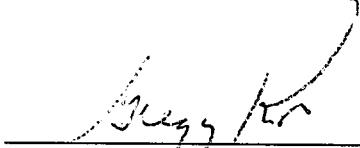
Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By Cherry Michael
Attorneys for Appellant

VERIFICATION

I, GREGORY J. ROSCOE, General Partner of G.L.W.D. L.P., a Limited Partnership, verify that I am authorized to make this Verification on behalf of said Limited Partnership and that the information provided in the foregoing Notice of Appeal is true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.



Gregory J. Roscoe

DATED: July 14, 2006

Clearfield County Assessment Office
BOARD OF ASSESSMENT APPEALS



230 EAST MARKET STREET
SUITE 117
Clearfield, Pennsylvania 16830

TELEPHONE (814) 765-2641
FAX (814) 765-2640
Email- cctax@clearfieldco.org

G.L.W.D. L.P.

Gregory J Roscoe MD

PO Box 308
DuBois, PA 15801

NOTICE OF BOARD ACTION ON APPEALS
FROM 2006 REAL ESTATE ASSESSMENT

Appellant Name	:	G.L.W.D. L.P.
Person Appearing	:	Roscoe, Gregory J. MD
Location	:	DuBois City 3rd Ward
Map #	:	031-000-10612A
Property Identification	:	Bldg & 2.02 A
Original 2006 market valuation	:	\$1,135,300
Original 2006 assessed valuation	:	\$ 283,825
Date of appeal hearing	:	June 8, 2006

Dear Property Owner:

The Clearfield County Board of Assessment Appeals, having considered your appeal, has made an Order with reference to your 2006 real estate assessment as follows:

Market valuation reduced to \$ 1,062,400
Assessed valuation reduced to \$ 265,600

Dated : June 15, 2006

Sincerely,

Clearfield County Board of
Assessment Appeals

Rita D. Bass
Rita D. Bass

J. Carl Ogden
J. Carl Ogden

Jack Green
Jack Green

Exhibit "A"

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

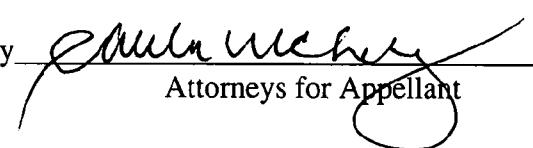
G.L.W.D. L.P., :
Appellant :
vs. : No. 06 - _____ C.D.
CLEARFIELD COUNTY BOARD OF :
ASSESSMENT APPEALS, :
Appellee

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July, 2006, a true and correct copy of Appellant's Notice of Appeal was served upon the Appellee by United States First Class Mail, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS
Clearfield County Assessment Office
Courthouse Annex, Suite 117
230 East Market Street
Clearfield, PA 16830

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Appellant

Dated: July 14, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P., :
Appellant :
vs. : No. 06 - 1131 C.D.
CLEARFIELD COUNTY BOARD OF :
ASSESSMENT APPEALS, :
Appellee

FILED

JUL 20 2006
6/12/06
William A. Shaw
Prothonotary/Clerk of Courts

10 C/C

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of July, 2006, a true and correct copy of Appellant's Notice of Appeal was served upon the following persons by United States First Class Mail, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

City of DuBois
Municipal Building
16 West Scribner Avenue
P. O. Box 408
DuBois, PA 15801

DuBois Area School District
Superintendent's Office
500 Liberty Boulevard
DuBois, PA 15801

Clearfield County Commissioners
Office of County Commissioners
Clearfield County Courthouse
Clearfield, PA 16830

GLEASON, CHERRY AND CHERRY, L.L.P.

By Shelia M. Cherry
Attorneys for Appellant

Dated: July 18, 2006

UR

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

G.L.W.D.L.P.

Appellant

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS

Appellee

No. 06 - 1131 C.D.

Type of Case: **Appeal from
Decision of the Clearfield County
Board of Assessment Appeals**

Type of Pleading: **Petition
to Intervene**

Filed on behalf of Intervener

Counsel of Record for Intervener:
DuBois Area School District

GREGORY M. KRUK, ESQ.
Supreme Court No. 26048

FERRARO, KRUK & FERRARO, LLP
690 Main Street
Brockway, PA 15824

814/268-2202

FILED acc Aty KruK
92:30am
OCT 11 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

G.L.W.D.L.P.
Appellant

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS
Appellee

No. 06 – 1131 C.D.

PETITION TO INTERVENE

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

AND NOW, comes the **DuBois Area School District**, by its Attorneys, **Ferraro, Kruk & Ferraro, LLP**, and presents to your Honorable Court a Petition to Intervene of which the following is a concise summary:

1. Petitioner is the DuBois Area School District, a School District properly organized and existing under the laws of the Commonwealth of Pennsylvania, with address of 500 Liberty Boulevard, DuBois, PA (15801).
2. Petitioner received a Notice of Appeal from the decision of the Clearfield County Board of Assessment Appeals filed by Appellant G.L.W.D.L.P. Attached and marked as Exhibit "A" is a copy of the Notice of Appeal received by Intervener DuBois Area School District.

3. The Certificate of Service signed by the Attorney for Appellant G.L.W.D.L.P. indicates that the mailing of the Notice of Appeal occurred on July 14, 2006. A copy of the Certificate of Service is marked as Exhibit "B" and attached to this Complaint.

4. Pennsylvania Rule of Civil Procedure 2326 et. seq., permits intervention by a party in an action when the determination of such action may affect any legally enforceable interest of such person whether or not such person may be bound by a judgment in the action.

5. Intervener DuBois Area School District will be affected by the granting of any request of Appellant because the request of Appellant is to effectively reduce the real estate taxes that Appellant pays to Intervener DuBois Area School District.

6. Pennsylvania Rule of Civil Procedure 2328(a) requires Petitioner to attach to this Petition a copy of any pleading which the Petitioner will file in the action if permitted to intervene. However, at this stage in the proceedings there is no pleading requirement of the DuBois Area School District should it be permitted to intervene.

7. Appellant G.L.W.D.L.P. will not be prejudiced by the granting of leave to Petitioner to intervene. No proceedings have occurred in Court subsequent to the filing of the Notice of Appeal and no Status Conference has yet occurred, or even scheduled, to petitioners knowledge.

WHEREFORE, Petitioner DuBois Area School District requests leave of Court to intervene as a party in these proceedings.

FERRARO, KRUK & FERRARO, LLP

BY:



Attorney for Petitioner

I, SHARON KIRK, as Superintendent for DuBois Area School District, verify that the statements made in the within are true and correct. I understand false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Date: OCTOBER 10, 2006


Sharon Kirk

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P.,

Appellant

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee

: No. 06 - 1131 C.D.: Type of Case: APPEAL FROM DECISION
: OF THE CLEARFIELD COUNTY BOARD
: OF ASSESSMENT APPEALS: Type of Pleading: NOTICE OF APPEAL
: FROM THE DECISION OF THE
: CLEARFIELD COUNTY BOARD OF
: ASSESSMENT APPEALS

: Filed on Behalf of: G.L.W.D. L.P., Appellant

: Counsel of Record for Appellant:

: PAULA M. CHERRY, ESQ.
: Supreme Court No.: 36023: GLEASON, CHERRY AND
: CHERRY, L.L.P.

: Attorneys at Law

: P. O. Box 505

: One North Franklin Street

: DuBois, PA 15801

: (814) 371-5800

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

JUL 14 2006

Attest.

Prothonotary/
Clerk of Courts

Exhibit A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P., :
Appellant :
vs. : No. 06 - _____ C.D.
CLEARFIELD COUNTY BOARD OF :
ASSESSMENT APPEALS, :
Appellee

NOTICE OF APPEAL FROM DECISION OF THE
CLEARFIELD COUNTY BOARD OF ASSESSMENT APPEALS

AND NOW, comes the Appellant, G.L.W.D. L.P., Appellant, by and through its attorneys, GLEASON, CHERRY AND CHERRY, L.L.P., and files this Appeal in accordance with the provisions of Section 704 of the Act of 1943, May 21, P.L. 571, 72 P.S. §5453.704, as amended, and, in support of which, avers the following:

1. Appellant, G.L.W.D. L.P., is a Limited Partnership established under the laws of the Commonwealth of Pennsylvania, with a business office located at 33 Beaver Drive, DuBois, Clearfield County, Pennsylvania.
2. Appellee, CLEARFIELD COUNTY BOARD OF ASSESSMENT APPEALS, is a municipal board established in accordance with The Fourth to Eighth Class County Assessment Law, Act of May 21, 1943, P.L. 571, Art. I, Section 101, *et seq.* (72 P.S. §5453.101, *et seq.*), having an office at the Clearfield County Courthouse Annex, 230 East Market Street, Suite

117, Clearfield, Pennsylvania 16830, and is authorized to hear appeals from parties aggrieved by the assessment and valuations made by the Clearfield County Assessment Office.

3. That the Appellant is the owner of commercial real estate consisting of a building and 2.02 acres of land situate in the Third Ward of the City of DuBois, Clearfield County, Pennsylvania, and being identified on the assessment maps of Clearfield County as Parcel No. 03-000-10612A.

4. That for the year of 2006, the Clearfield County Assessment Office determined that the market value of said real estate was \$1,135,300.00 with an assessed valuation of \$283,825.00.

5. Appellant duly appealed from this assessment to the Clearfield County Board of Assessment Appeals and after hearing thereon held on June 8, 2006, the Clearfield County Board of Assessment Appeals reduced the market valuation to \$1,062,400.00 and reduced the assessed valuation to \$265,600.00. A true and correct copy of the Notice of Board Action dated June 15, 2006, is attached hereto and made a part hereof as Exhibit "A".

6. This Notice of Appeal is herewith presented within thirty (30) days from the date of the Board's Notice.

7. Appellant is aggrieved by the Decision of Appellee, and avers that the assessment must be further reduced.

8. Appellant avers the following reasons in support of this Appeal:

(a) The fair market value upon which the assessment is based is in excess of the actual fair market value of the property and contrary to the evidence presented by Appellant's experts at the time of the Appeal;

(b) Appellee failed to properly determine the current fair market value of the property in accordance with §602(a) of the Act of 1943, May 21, P.L. 571, 72 P.S. §5453.602(a), as amended;

(c) Appellee failed to follow the mandate of §702(b) of the Act of 1943, May 21, P.L. 571, P.S. §5453.702(b), as amended;

(d) The assessment appealed from is excessive, illegal and in violation of the Act of May 21, P.L. 571, 72 P.S. §5453.101, *et seq.*, as amended, The Uniformity Clause, Article 8, Section 1 of the Pennsylvania Constitution, and the Equal Protection and Due Process Clauses of the United States Constitution.

(e) The assessment is prejudicial and discriminatory and lacking in uniformity with the assessments of other real property within Clearfield County and within the City of DuBois;

(f) The ratio of assessed value to market value is in excess of the ratio commonly prevailing in the City of DuBois and Clearfield County;

(g) the assessment and market valuation ignored the uncontradicted evidence that much of the building is not finished and not capable at the present time of being used for any purpose;

(h) the assessment is arbitrary, capricious, improper, inequitable, unjust and unfair; and

(i) the total assessment does not properly allocate between land and building.

WHEREFORE, Appellant, G.L.W.D. L.P., being aggrieved by the Decision of the Clearfield County Board of Assessment Appeals, files this Notice of Appeal and requests Your

Honorable Court to set aside the Decision of the Clearfield County Board of Assessment Appeals and to decrease the assessment of said property to such amount as may be right and proper.

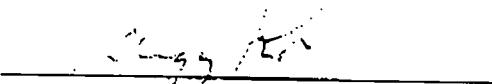
Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By John Michael
Atorneys for Appellant

VERIFICATION

I, GREGORY J. ROSCOE, General Partner of G.L.W.D. L.P., a Limited Partnership, verify that I am authorized to make this Verification on behalf of said Limited Partnership and that the information provided in the foregoing Notice of Appeal is true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.



Gregory J. Roscoe

DATED: July 14, 2006

Clearfield County Assessment Office
BOARD OF ASSESSMENT APPEALS



230 EAST MARKET STREET
 SUITE 117
Clearfield, Pennsylvania 16830

TELEPHONE (814) 765-2641
 FAX (814) 765-2640
 Email- cctax@clearfieldco.org

G.L.W.D. L.P.

Gregory J Roscoe MD

PO Box 308
DuBois, PA 15801

NOTICE OF BOARD ACTION ON APPEALS
FROM 2006 REAL ESTATE ASSESSMENT

Appellant Name

: G.L.W.D. L.P.

Person Appearing

: Roscoe, Gregory J. MD

Location

: DuBois City 3rd Ward

Map #

: 031-000-10612A

Property Identification

: Bldg & 2.02 A

Original 2006 market valuation

: \$1,135,300

Original 2006 assessed valuation

: \$ 283,825

Date of appeal hearing

: June 8, 2006

Dear Property Owner:

The Clearfield County Board of Assessment Appeals, having considered your appeal, has made an Order with reference to your 2006 real estate assessment as follows:

Market valuation reduced to \$ 1,062,400
 Assessed valuation reduced to \$ 265,600

Dated : June 15, 2006

Sincerely,

Clearfield County Board of
 Assessment Appeals

Rita D. Bass
 Rita D. Bass

J. Carl Ogden
 J. Carl Ogden

Jack Green
 Jack Green

Exhibit "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P.,

Appellant

vs.

: No. 06 - _____ C.D.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee

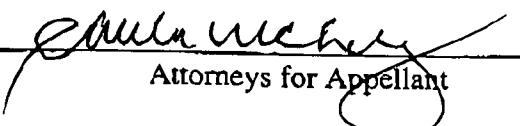
CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July, 2006, a true and correct copy of Appellant's Notice of Appeal was served upon the Appellee by United States First Class Mail, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS
Clearfield County Assessment Office
Courthouse Annex, Suite 117
230 East Market Street
Clearfield, PA 16830

GLEASON, CHERRY AND CHERRY, L.L.P.

By


Attorneys for Appellant

Dated: July 14, 2006

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

FILED 3cc
013:35 PM
OCT 13 2006 Atty Kruk
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G.L.W.D.L.P.
Appellant

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS
Appellee

No. 06 – 1131 C.D.

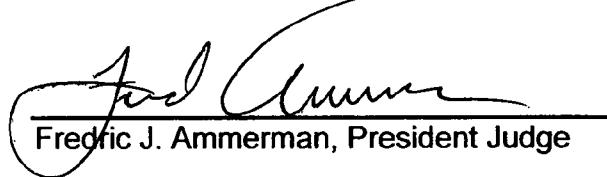
William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 13 day of October, 2006, upon Petition of the DuBois Area School District to intervene in the above-captioned Tax Assessment Appeal matter, it is hereby ordered that:

- (1) A Rule is issued upon the Appellant and Appellee to show cause, if any they have, why the Petitioner, DuBois Area School District, is not entitled to the relief requested;
- (2) The Appellant and Appellee shall file an Answer to the Petition within twenty (20) days of service upon them if they have cause why Petitioner is not entitled to intervene in this matter;
- (3) A Hearing on the Petition is hereby scheduled for the 5th day of December, 2006 at 10:00 o'clock A M. in Courtroom No. 1, Clearfield County Courthouse, North Second Street, Clearfield, PA, (16830).

BY THE COURT:


Fredric J. Ammerman, President Judge

FILED

OCT 13 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/13/06

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 Other

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

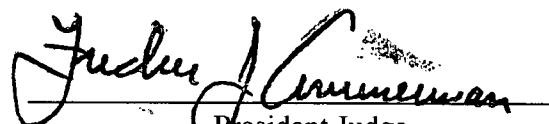
CIVIL DIVISION

G.L.W.D. L.P., :
Appellant :
: :
vs. : No. 06 - 1131 C.D.
: :
CLEARFIELD COUNTY BOARD OF :
ASSESSMENT APPEALS, :
Appellee

O R D E R

AND NOW, this 25 day of October, 2006, in consideration of the Notice of Appeal from the Decision of the Clearfield County Board of Assessment Appeals filed by Appellant, a hearing is hereby scheduled before this Court on the 6th day of December, 2006, at 11:30 o'clock a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Second Floor, Clearfield, Pennsylvania, with one-half (1/2) hour allotted for hearing thereon.

BY THE COURT:


President Judge

FILED 4CC A/H
09:45 AM P.Cherly
OCT 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10-27-2006

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:

FILED

OCT 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P.,

Appellant

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee

: No. 06 - 1131 C.D.

:
: Type of Case: APPEAL FROM DECISION
: OF THE CLEARFIELD COUNTY BOARD
: OF ASSESSMENT APPEALS

:
: Type of Pleading: PRAECIPE TO
: WITHDRAW APPEAL UPON CONSENT
: OF ALL PARTIES

:
: Filed on Behalf of: G.L.W.D. L.P., Appellant

:
: Counsel of Record for Appellant:

:
: TONI M. CHERRY, ESQ.
: Supreme Court No.: 30205

:
: GLEASON, CHERRY AND CHERRY, L.L.P.
: Attorneys at Law
: P. O. Box 505
: One North Franklin Street
: DuBois, PA 15801
: (814) 371-5800

FILED
013192006 4CC
NOV 08 2006 Atty
WT Cherry
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P.,	:
Appellant	:
vs.	:
	: No. 06 - 1131 C.D.
	:
CLEARFIELD COUNTY BOARD OF	:
ASSESSMENT APPEALS,	:
Appellee	

PRAECIPE TO WITHDRAW APPEAL
UPON CONSENT OF ALL PARTIES

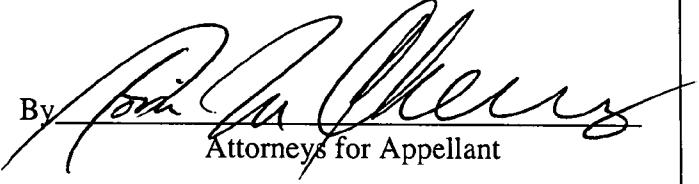
TO WILLIAM A. SHAW, PROTHONOTARY

SIR:

Kindly mark the appeal filed by the Appellant, G.L.W.D. L.P., to the above-captioned term and number withdrawn, discontinued and ended upon the consent of Appellee, CLEARFIELD COUNTY BOARD OF ASSESSMENT APPEALS, and the DUBOIS AREA SCHOOL DISTRICT, who has petitioned to intervene in this matter.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Appellant

Dated: November 8, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

G.L.W.D. L.P., :
Appellant :
vs. : No. 06 - 1131 C.D.
CLEARFIELD COUNTY BOARD OF :
ASSESSMENT APPEALS, :
Appellee

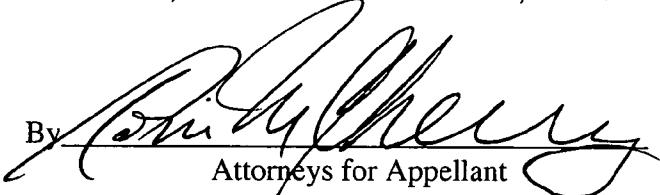
CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of November, 2006, a true and correct copy of Appellant's Praecipe to Withdraw Appeal Upon Consent of All Parties was served upon the following persons by United States First Class Mail, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

KIM C. KESNER, ESQ.
Attorney at Law
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