

06-1221-CD
First Comm Bank vs George Hixon al

2006-1221-CD
First Commonwealth vs George Hixon

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

FIRST COMMONWEALTH : NO. 06-1221 - C.D.
BANK,
PLAINTIFF : TYPE OF CASE: ACTION TO
VS. : QUIET TITLE
: TYPE OF PLEADING: COMPLAINT
GEORGE A. HIXON, JR. and : FILED ON BEHALF OF: PLAINTIFF
KATHRYN L. HIXON, : FIRST COMMONWEALTH BANK
DEFENDANTS : COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: SUPREME COURT NO.: 63494
: 25 EAST PARK AVENUE, SUITE 6
: DUBOIS, PA 15801
: (814) 375-1044

FILED Aug pd. 10.00
08/01/2006 Plt pd. 85.60
AUG 01 2006
1CC Atty
William A. Shaw
Prothonotary/Clerk of Courts 2CCShtf

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

FIRST COMMONWEALTH BANK,	:	NO. 06 - - C.D.
PLAINTIFF	:	TYPE OF CASE: ACTION TO QUIET TITLE
VS.	:	
GEORGE A. HIXON, JR. and KATHRYN L. HIXON,	:	
DEFENDANTS	:	

NOTICE

TO: GEORGE A. HIXON, JR. and KATHRYN L. HIXON,

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO PREMISES SITUATE IN HUSTON TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. SAID PREMISES ARE DESCRIBED AS FOLLOWS:

HUSTON TOWNSHIP
MAP #119-G02-000-00001
D TRAILER & 3.9A
ALSO DEPICTED ON COPY OF SURVEY PLAT ATTACHED TO
COMPLAINT AS EXHIBIT "A"

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 CLAIM 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.

CLEARFIELD COUNTY PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

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

FIRST COMMONWEALTH BANK,	:	NO. 06 - - C.D.
PLAINTIFF	:	TYPE OF CASE: ACTION TO QUIET TITLE
VS.	:	
GEORGE A. HIXON, JR. and KATHRYN L. HIXON,	:	
DEFENDANTS	:	

COMPLAINT

AND NOW, comes the Plaintiff **FIRST COMMONWEALTH BANK**, by and through its attorney, **CHRISTOPHER E. MOHNEY, ESQUIRE**, and brings this Action to Quiet Title to the premises hereinafter described against the above-named Defendants, and in support thereof avers:

1. Plaintiff FIRST COMMONWEALTH BANK is a Pennsylvania banking corporation, with a place of business at 654 Philadelphia Street, Indiana, Pennsylvania, 15701.
2. Defendants GEORGE A. HIXON, JR. and KATHRYN L. HIXON are adult individuals with a last known address of 1652 Treasure Lake, DuBois, Clearfield County, Pennsylvania 15801..
3. The purpose of this action is to quiet title to the following described real estate:

HUSTON TOWNSHIP
MAP #119-G02-000-00001
D TRAILER & 3.9A
ALSO DEPICTED ON COPY OF SURVEY PLAT ATTACHED TO
COMPLAINT AS EXHIBIT "A"

4. By Deed dated October 23, 1945, and recorded in Clearfield County Deed Book Volume 371, Page 284, Walter W. Overturf and Hazel Overturf, his wife, conveyed a tract of land, of which the subject premises of this quiet title action is part, to A. R. Hixon and Annabelle Rose Hixon, husband and wife.

5. Albert Ross Hixon died on May 9, 1965, his Last Will and Testament being probated to Clearfield County Will Book Volume 10, Page 340.

6. By Will of Albert Ross Hixon, the premises subject of this quiet title action was specifically devised to George Hixon, Jr. and Bruce Hixon, grandsons of Albert Ross Hixon.

7. By Action to Quiet Title filed to No. 79-1529-C.D. in the Court of Common Pleas of Clearfield County, Pennsylvania, copies of Affidavit of Service and Order entering judgment recorded in Clearfield County Deed Book Volume 788, page 44, George Hixon and Kathryn L. Hixon, his wife, quieted title to the premises subject of this quiet title lawsuit.

8. By Deed dated April 14, 1983, and recorded in Clearfield County Deed Book Volume 883, Page 327, George A. Hixon, Jr. and Kathryn L. Hixon, husband and wife, deeded property subject of this quiet title action, or a portion thereof, to Harry F. Diem and Ruth N. Diem, husband and wife.

9. By Deed dated January 5, 1987, and recorded in Clearfield County Deed Book Volume 1134, Page 275, Harry F. Diem and Ruth N. Diem, husband and wife, deeded property subject of this quiet title action, or a portion thereof, to defendants George A. Hixon, Jr. and Kathryn L. Hixon, husband and wife.

10. By Quit Claim Deed dated July 30, 1999, and recorded in Clearfield County Recorder of Deed's Office as Instrument #199912757, Albert V. Hixon and Patricia A. Hixon, husband and wife, quit claimed interest in property subject of this quiet title action to George A. Hixon, Jr. and Kathryn L. Hixon.

11. By Deed dated April 20, 2006 and recorded in Clearfield County Office of Recorder of Deed's as Instrument #200605971, the Tax Claim Bureau of Clearfield County, Pennsylvania conveyed premises subject of this quiet title action, or a portion thereof, to First Commonwealth Bank, the land being sold out from under George A. Hixon, Jr. and Kathryn L. Hixon for unpaid taxes for the years 2002 through 2004 against at least a portion of the premises subject of this quiet title action.

12. No third party is known to have ever made any claim of any kind to ownership of interest and/or claim to or upon the property subject of this quiet title action except as set forth in this Complaint.

13. To the extent Defendants may have a claim or interest adverse to the Plaintiff, the claims of the Defendants, their heirs, successors and assigns are without any right whatsoever, and Defendants' potential claims are wholly without right and constitute clouds on the Plaintiff's title, which Plaintiff desires to remove.

14. This action is brought to clear any and all clouds on the title to the ownership in interest to the property described in paragraph 3 of this Complaint, which the herein named Defendants, their heirs, devisees, executors, administrators, successors and assigns, and all other person, persons, partnerships or corporate entities in interest or their legal representatives might claim, possess or assert pertaining to any alleged irregularities in the chain of title herein set forth.

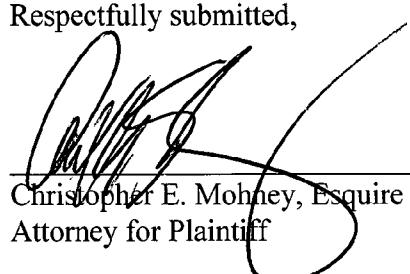
15. This suit to quiet title is instituted under the terms and provisions of the Pennsylvania Rules of Civil Procedure 1061 to 1067, inclusive, pertaining to the quieting of titles and other pertinent rules of local procedure.

WHEREFORE, your Plaintiff requests this Honorable Court to decree that title to the above-described property in paragraph 3 of this Complaint is in the name of FIRST COMMONWEALTH BANK, and that the Defendants, GEORGE A. HIXON, JR. and KATHRYN L. HIXON, their executors, administrators and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, be forever barred from asserting any right, title, lien or interest in the land in question that is inconsistent with the interest of the Plaintiff as set forth herein to the said premises, or impeaching, denying or in any way attacking the Plaintiff's title to the said premises; and that your Honorable Court make any other necessary Order for the granting of proper relief as it deems necessary to equitably and legally recognize and preserve Plaintiff's rights in this matter.

Respectfully submitted,

By:

Christopher E. Mohney, Esquire
Attorney for Plaintiff



VERIFICATION

I, SUSAN STITELER, Assistant Vice President of FIRST COMMONWEALTH BANK, being duly authorized to make this verification, have read the foregoing Complaint. The statements therein are correct to the best of our personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

FIRST COMMONWEALTH BANK

BY: 
SUSAN STITELER

Honey & Rita
nVoorhis

Shedney & Rita Van Voorhis
was surveyed by
Alice P. Opalishky, P.L.S.
January 1987

Instrument Number 2003//383

Dated June 25, 2003

Beth A Georina

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101781
NO: 06-1221-CD
SERVICE # 1 OF 2
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: FIRST COMMONWEALTH BANK
vs.
DEFENDANT: GEORGE A. HIXON JR. and KATHRYN L. HIXON

SHERIFF RETURN

NOW, August 02, 2006 AT 2:00 PM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON GEORGE A. HIXON JR DEFENDANT AT 1652 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GEORGE HIXON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

FILED
0/3:30 LM
AUG 15 2006

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101781
NO: 06-1221-CD
SERVICE # 2 OF 2
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: FIRST COMMONWEALTH BANK
vs.
DEFENDANT: GEORGE A. HIXON JR. and KATHRYN L. HIXON

SHERIFF RETURN

NOW, August 02, 2006 AT 2:00 PM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON KATHRYN L. HIXON DEFENDANT AT 1652 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GEORGE HIXON, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101781
NO: 06-1221-CD
SERVICES 2
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: FIRST COMMONWEALTH BANK
vs.
DEFENDANT: GEORGE A. HIXON JR. and KATHRYN L. HIXON

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	FIRST COMM.	144000	20.00
SHERIFF HAWKINS	FIRST COMM.	144000	41.30

Sworn to Before Me This

So Answers,

Day of 2006

✓ Chester A. Hawkins
Sheriff

FILED

AUG 15 2006

William A. Shaw
Prothonotary

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

FIRST COMMONWEALTH BANK, : NO. 06 - 1221 - C.D.
Plaintiff, : Type of Case:
vs. : ACTION TO QUIET TITLE
GEORGE A. HIXON, JR. and : Type of Pleading:
KATHRYN L. HIXON, : AFFIDAVIT OF DEFAULT
Defendants. : Filed on Behalf of: PLAINTIFF
: FIRST COMMONWEALTH BANK
: Counsel of Record:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: Supreme Court No.: 63494
: 25 EAST PARK AVENUE
: SUITE 6
: DUBOIS, PA 15801
: (814) 375-1044

FILED
MTH/ab
OCT 13 2006
S
William A. Shaw
Prothonotary/Clerk of Courts

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

FIRST COMMONWEALTH BANK, : NO. 06 - 1221 - C.D.

Plaintiff, : Type of Case:
vs. : ACTION TO QUIET TITLE

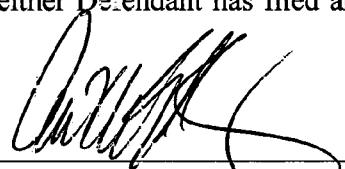
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
Defendants. :

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

CHRISTOPHER E. MOHNEY, ESQUIRE, being duly sworn according to law, deposes and says that he is counsel for Plaintiff in this action, and makes this Affidavit on behalf of the Plaintiff, being authorized to do so; that a Complaint in this action to quiet title, containing a Notice to Defend within twenty (20) days of service was duly and personally served on the Defendants George A. Hixon, Jr. and Kathryn L. Hixon by Sheriff of Clearfield County, Pennsylvania on August 2, 2006; and that to date neither Defendant has filed an answer in the action.

By:

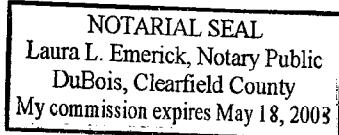

Christopher E. Mohney, Esquire
Attorney for Plaintiff

SWORN TO and SUBSCRIBED

before me this 12th day

of October, 2006.


Laura L. Emerick
Notary Public



FILED

OCT 13 2006

William A. Shaw
Prothonotary/Clerk of Courts

CA

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

FIRST COMMONWEALTH BANK, : NO. 06 - 1221 - C.D.
Plaintiff, : Type of Case:
vs. : ACTION TO QUIET TITLE
GEORGE A. HIXON, JR. and : Type of Pleading: MOTION FOR
KATHRYN L. HIXON, : DEFAULT JUDGMENT
Defendants. : Filed on Behalf of: PLAINTIFF
 : FIRST COMMONWEALTH BANK
 : Counsel of Record:
 : CHRISTOPHER E. MOHNEY, ESQUIRE
 : Supreme Court No.: 63494
 : 25 EAST PARK AVENUE
 : SUITE 6
 : DUBOIS, PA 15801
 : (814) 375-1044

FILED *m/m:ole/bs* No. cc
OCT 13 2006 (G)

William A. Shaw
Prothonotary/Clerk of Courts

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

FIRST COMMONWEALTH BANK, : NO. 06 - 1221 - C.D.
Plaintiff, : Type of Case:
vs. : ACTION TO QUIET TITLE
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
Defendants. :

MOTION FOR DEFAULT JUDGMENT

AND NOW, comes the Plaintiff, FIRST COMMONWEALTH BANK, by and through its attorney, CHRISTOPHER E. MOHNEY, ESQUIRE, and files this Motion for Default Judgment against Defendants GEORGE A. HIXON, JR. and KATHRYN L. HIXON and in support thereof avers the following:

1. This is an action to quiet title in which Plaintiff, FIRST COMMONWEALTH BANK, requests that Defendants GEORGE A. HIXON, JR. and KATHRYN L. HIXON, be permanently enjoined and restrained from asserting any claim or interest in or to real property described in Plaintiff's Complaint. A true and correct of the Plaintiff's Complaint is attached hereto, incorporated herein by reference, and marked Exhibit "A".

2. Attached as Exhibit "B" is Return of Service verifying that the Complaint to quiet title filed by Plaintiff on August 1, 2006, was served on both Defendants on August 2, 2006.

3. Neither Defendant has filed an answer to the Complaint, nor has either Defendant entered an appearance of record.

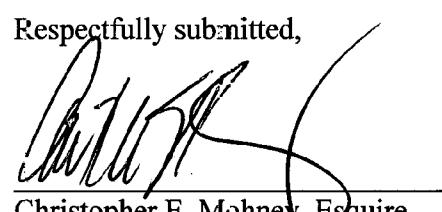
4. Attached as Exhibit "C" are copies of Important Notices sent to the respective Defendants, which Important Notices were sent August 24, 2006, as evidenced by the attached Certificates of Mailing.

5. Pennsylvania Rule of Civil Procedure 1066(a) allows the Court to grant appropriate relief on Affidavit that a Complaint containing a Notice to Defend has been served and Defendants have not filed an answer.

WHEREFORE, Plaintiff requests this Court to enter an Order of Default Judgment against Defendants, GEORGE A. HIXON, JR. and KATHRYN L. HIXON, pursuant to Pennsylvania Rule of Civil Procedure 1066(a).

Respectfully submitted,

By:


Christopher E. Mohney, Esquire

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

FIRST COMMONWEALTH
BANK,

PLAINTIFF

VS.

GEORGE A. HIXON, JR. and
KATHRYN L. HIXON,

DEFENDANTS

: NO. 06-1221-C.D.
: TYPE OF CASE: ACTION TO
: QUIET TITLE
: TYPE OF PLEADING: COMPLAINT
: FILED ON BEHALF OF: PLAINTIFF
: FIRST COMMONWEALTH BANK
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: SUPREME COURT NO.: 63494
: 25 EAST PARK AVENUE, SUITE 6
: DUBOIS, PA. 15801
: (814) 375-1044

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

AUG 01 2006

Attest.

William B. Brown
Prothonotary/
Clerk of Courts

EXHIBIT

"A"

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

FIRST COMMONWEALTH : NO. 06 - - C.D.
BANK, :
PLAINTIFF : TYPE OF CASE: ACTION TO
VS. : QUIET TITLE
: :
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
DEFENDANTS : :

NOTICE

TO: GEORGE A. HIXON, JR. and KATHRYN L. HIXON,

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MAP #119-G02-000-00001
D TRAILER & 3.9A

ALSO DEPICTED ON COPY OF SURVEY PLAT ATTACHED TO
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CLEARFIELD COUNTY PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

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

FIRST COMMONWEALTH : NO. 06 - - C.D.
BANK, :
PLAINTIFF : TYPE OF CASE: ACTION TO
VS. : QUIET TITLE
: :
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
DEFENDANTS : :

COMPLAINT

AND NOW, comes the Plaintiff **FIRST COMMONWEALTH BANK**, by and through its attorney, **CHRISTOPHER E. MOHNEY, ESQUIRE**, and brings this Action to Quiet Title to the premises hereinafter described against the above-named Defendants, and in support thereof avers:

1. Plaintiff FIRST COMMONWEALTH BANK is a Pennsylvania banking corporation, with a place of business at 654 Philadelphia Street, Indiana, Pennsylvania, 15701.
2. Defendants GEORGE A. HIXON, JR. and KATHRYN L. HIXON are adult individuals with a last known address of 1652 Treasure Lake, DuBois, Clearfield County, Pennsylvania 15801.
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MAP #119-G02-000-00001
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5. Albert Ross Hixon died on May 9, 1965, his Last Will and Testament being probated to Clearfield County Will Book Volume 10, Page 340.

6. By Will of Albert Ross Hixon, the premises subject of this quiet title action was specifically devised to George Hixon, Jr. and Bruce Hixon, grandsons of Albert Ross Hixon.

7. By Action to Quiet Title filed to No. 79-1529-C.D. in the Court of Common Pleas of Clearfield County, Pennsylvania, copies of Affidavit of Service and Order entering judgment recorded in Clearfield County Deed Book Volume 788, page 44, George Hixon and Kathryn L. Hixon, his wife, quieted title to the premises subject of this quiet title lawsuit.

8. By Deed dated April 14, 1983, and recorded in Clearfield County Deed Book Volume 883, Page 327, George A. Hixon, Jr. and Kathryn L. Hixon, husband and wife, deeded property subject of this quiet title action, or a portion thereof, to Harry F. Diem and Ruth N. Diem, husband and wife.

9. By Deed dated January 5, 1987, and recorded in Clearfield County Deed Book Volume 1134, Page 275, Harry F. Diem and Ruth N. Diem, husband and wife, deeded property subject of this quiet title action, or a portion thereof, to defendants George A. Hixon, Jr. and Kathryn L. Hixon, husband and wife.

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12. No third party is known to have ever made any claim of any kind to ownership of interest and/or claim to or upon the property subject of this quiet title action except as set forth in this Complaint.

13. To the extent Defendants may have a claim or interest adverse to the Plaintiff, the claims of the Defendants, their heirs, successors and assigns are without any right whatsoever, and Defendants' potential claims are wholly without right and constitute clouds on the Plaintiff's title, which Plaintiff desires to remove.

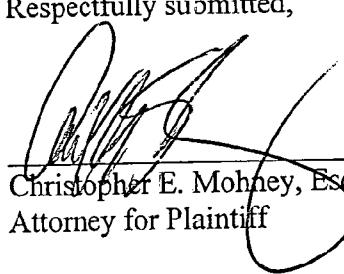
14. This action is brought to clear any and all clouds on the title to the ownership in interest to the property described in paragraph 3 of this Complaint, which the herein named Defendants, their heirs, devisees, executors, administrators, successors and assigns, and all other person, persons, partnerships or corporate entities in interest or their legal representatives might claim, possess or assert pertaining to any alleged irregularities in the chain of title herein set forth.

15. This suit to quiet title is instituted under the terms and provisions of the Pennsylvania Rules of Civil Procedure 1061 to 1067, inclusive, pertaining to the quieting of titles and other pertinent rules of local procedure.

WHEREFORE, your Plaintiff requests this Honorable Court to decree that title to the above-described property in paragraph 3 of this Complaint is in the name of FIRST COMMONWEALTH BANK, and that the Defendants, GEORGE A. HIXON, JR. and KATHRYN L. HIXON, their executors, administrators and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, be forever barred from asserting any right, title, lien or interest in the land in question that is inconsistent with the interest of the Plaintiff as set forth herein to the said premises, or impeaching, denying or in any way attacking the Plaintiff's title to the said premises; and that your Honorable Court make any other necessary Order for the granting of proper relief as it deems necessary to equitably and legally recognize and preserve Plaintiff's rights in this matter.

Respectfully submitted,

By:


Christopher E. Mohney, Esquire
Attorney for Plaintiff

VERIFICATION

I, SUSAN STITELER, Assistant Vice President of FIRST COMMONWEALTH BANK, being duly authorized to make this verification, have read the foregoing Complaint. The statements therein are correct to the best of our personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

FIRST COMMONWEALTH BANK

BY: Susan Stitele
SUSAN STITELER

ney & Rita
Voorhies

Digitized by Kitzu Van Vucht
Digitized by
P. Opolsky, PLS
1987

Instrument Number 2003H383
Dated June 25, 2003

Beth A. Georgino

George A. Jr. & Kathryn L.

Hixon

Area Containing
118,047.6 SQ. FT.
2.71 ACRES

10

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101781
NO: 06-1221-CD
SERVICE # 1 OF 2
COMPLAINT ACTION TO QUIET TITLE

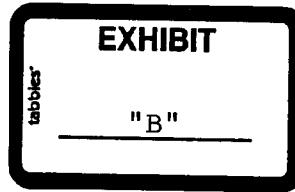
PLAINTIFF: FIRST COMMONWEALTH BANK
VS.
DEFENDANT: GEORGE A. HIXON JR. and KATHRYN L. HIXON

COPY

SHERIFF RETURN

NOW, August 02, 2006 AT 2:00 PM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON GEORGE A. HIXON JR DEFENDANT AT 1652 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GEORGE HIXON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101781
NO: 06-1221-CD
SERVICE # 2 OF 2
COMPLAINT ACTION TO QUIET TITLE

PLAINTIFF: FIRST COMMONWEALTH BANK
vs.
DEFENDANT: GEORGE A. HIXON JR. and KATHRYN L. HIXON

SHERIFF RETURN

NOW, August 02, 2006 AT 2:00 PM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON KATHRYN L. HIXON DEFENDANT AT 1652 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GEORGE HIXON, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

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

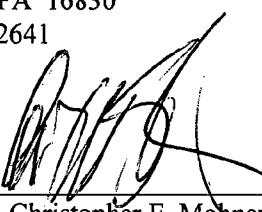
FIRST COMMONWEALTH : NO. 06 - 1221 - C.D.
BANK, :
PLAINTIFF : TYPE OF CASE: ACTION TO
VS. : QUIET TITLE
: :
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
DEFENDANTS : :
TO: KATHRYN L. HIXON
1652 Treasure Lake
DuBois, PA 15801

DATE OF NOTICE: August 23, 2006

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
1 NORTH SECOND STREET
CLEARFIELD, PA 16830
(814) 765-2641

BY: 

Christopher E. Mohney, Esquire
Attorney for Plaintiff
I.D. #63494
25 East Park Avenue, Suite 6
DuBois, PA 15801
(814) 375-1044

EXHIBIT

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

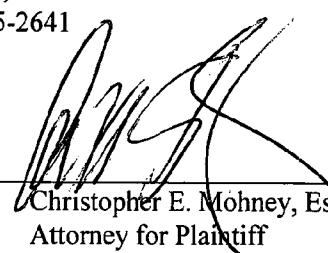
FIRST COMMONWEALTH : NO. 06 - 1221 - C.D.
BANK, :
PLAINTIFF : TYPE OF CASE: ACTION TO
VS. : QUIET TITLE
: :
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
DEFENDANTS :
TO: GEORGE A. HIXON, JR.
1652 Treasure Lake
DuBois, PA 15801

DATE OF NOTICE: August 23, 2006

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U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE. POSTMASTER

Christopher E. Mohney, Esquire
25 East Park Avenue
Suite 6
DuBois, PA 15801

One piece of ordinary mail addressed to:
George A. Hixon, Jr.
1652 Treasure Lake
DuBois, PA 15801

PS Form 3817, January 2001

File 160

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
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Christopher E. Mohney, Esquire
25 East Park Avenue
Suite 6
DuBois, PA 15801

One piece of ordinary mail addressed to:
Kathryn L. Hixon
1652 Treasure Lake
DuBois, PA 15801

PS Form 3817, January 2001

FILED
OCT 13 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

FIRST COMMONWEALTH BANK, : NO. 06 - 1221 - C.D.
Plaintiff, : Type of Case:
vs. : ACTION TO QUIET TITLE
GEORGE A. HIXON, JR. and : Type of Pleading:
KATHRYN L. HIXON, : ORDER
Defendants. : Filed on Behalf of: PLAINTIFF
: FIRST COMMONWEALTH BANK
: Counsel of Record:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: Supreme Court No.: 65494
: 25 EAST PARK AVENUE
: SUITE 6
: DUBOIS, PA 15801
: (814) 375-1044

FILED
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OCT 13 2006 Atty Mohney
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William A. Shaw
Prothonotary/Clerk of Courts

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

FIRST COMMONWEALTH BANK, : NO. 06 - 1221 - C.D.
Plaintiff, : Type of Case:
vs. : ACTION TO QUIET TITLE
GEORGE A. HIXON, JR. and :
KATHRYN L. HIXON, :
Defendants. :

ORDER

AND NOW, this 13 day of October, 2006, an Affidavit of Service of a Complaint with Notice to Plead having been filed and no answer having been made by Defendants George A. Hixon, Jr. and Kathryn L. Hixon, upon consideration of the Motion of Plaintiff pursuant to Pennsylvania Rule of Civil Procedure 1066(a), it is hereby ORDERED and DECREED that judgment by default be entered against Defendants George A. Hixon, Jr. and Kathryn L. Hixon directing they are permanently enjoined and restrained from asserting any claim or interest in or to the following real property or any part thereof:

Huston Township

Map No. 119-GC2- 000-00001

D Trailer and 3.9 A, also depicted on copy of Survey Plat attached to this Order as Exhibit "A".

A copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

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

BY THE COURT:

A handwritten signature in black ink, appearing to read "Jud. James", is written over a horizontal line.

ney & Rita
Voorhis

Money & Rita Van Voorhis
was surveyed by
C. P. Opoliski, PLS
or 1987

Instrument Number 2003H383
Purchased June 25, 2003

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Beth A. Georgino

EXHIBIT

"A"

FILED

OCT 13 2006

William A. Shaw
Prothonotary/Clerk of Courts