

06-1452-CD
Joseph Miller et al vs Robert E. Dunn et al

2006-1452-CD
Joseph Miller et al vs Robert Dunn et al

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD
: :
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

CASE NUMBER: _____

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: AFFIDAVIT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

FILED

9/2/2006

SEP 07 2006

William A. Shaw
Prothonotary/Clerk of Courts

ICC Unlimited
Real Estate

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
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Defendants :

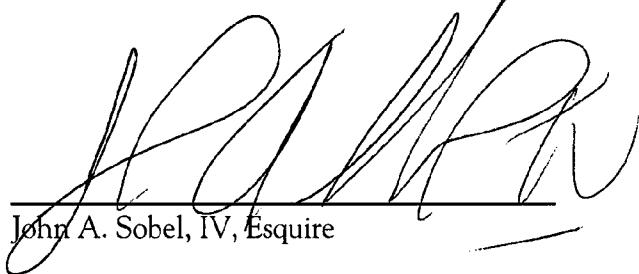
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

JOHN A. SOBEL, IV, who being duly sworn according to law, deposes and says that
in support of his Motion For Publication, the following:

1. All public records in the Clearfield County Courthouse and local telephone
books have been checked prior to making this Affidavit.
2. That I have made a good faith effort to find the whereabouts of the
Defendants, Robert E. Dunn; Judith D. Dunn and Hazel C. Hickes, their heirs, successors and
assigns.

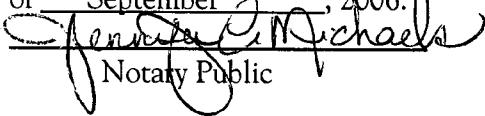
Further, the deponent sayeth not.



John A. Sobel, IV, Esquire

Sworn to and subscribed
before me this 5th day

of September, 2006.



Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD COUNTY
MY COMMISSION EXPIRES JUNE 17, 2007

FILED

SEP 07 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
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VS. : NO. 2006-1452-CD
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herein described premises under them, :
Defendants :

CASE NUMBER: _____

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

FILED *3cc Admited
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Real Estate*
SEP 07 2006 pd \$95.00

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
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VS. : NO. _____
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Defendants :

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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

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

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
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VS. : NO. _____
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their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

COMPLAINT

AND NOW, comes JOSEPH A. MILLER and FILIA A. MILLER, his wife, by and through their attorney, JOHN A. SOBEL, IV, who aver as follows:

1. That Plaintiff, JOSEPH A. MILLER, is an adult individual, with an address of 41 Pine Street, Mahaffey, Clearfield County, Pennsylvania 15757.
2. That Plaintiff, FILIA A. MILLER, is an adult individual, with an address of 41 Pine Street, Mahaffey, Clearfield County, Pennsylvania 15757.
3. That Defendant ROBERT E. DUNN is believed to have been living in 1999 as evidenced by records found in the Tax Claim Bureau Office of Clearfield County, but since that time we have been unable to establish whether he is deceased. His whereabouts are unknown, but a search of the Tax Claim Bureau records revealed a last known address of P.O. Box 882, Englewood, CO 80151. A search of the appropriate records revealed no Estate being filed for Robert E. Dunn in the Register of Wills Office of Clearfield County, Pennsylvania.

4. That Defendant, JUDITH D. DUNN, is believed to have been living in 1999 as evidenced by records found in the Tax Claim Bureau Office of Clearfield County but since that time we have been unable to establish whether she is deceased, her present whereabouts are unknown, but a search of the Tax Claim Bureau records revealed a last known address of P.O. Box 882, Englewood, CO 80151. A search of the appropriate records revealed no Estate being filed for Judith D. Dunn in the Register of Wills Office of Clearfield County, Pennsylvania.

5. That Defendant, HAZEL C. HICKES, is believed to have passed away with a last known address in Mahaffey Borough, Clearfield County, Pennsylvania. A search of the appropriate records revealed no Estate being filed for Hazel C. Hickes in the Register of Wills Office of Clearfield County.

6. That the property in question is more particularly described below and has the Tax Map No. 130-C11-304-00020:

ALL that certain lot or piece of land situated in the Borough of Mahaffey, Clearfield County, Pennsylvania, bounded and described as follows:

Mahaffey Borough
Map No. 013-C11-304-00020
H & L #111

More particularly identified by Deed in the chain of title and found filed to Deed Book 609, Page 098, bounded and described as follows:

BEGINNING at a post at the corner of an alley and Pine Street; thence North fifty (50) feet along said Pine Street to corner of Lot No. 112; thence West along said Lot No. 112 one hundred and fifty (150) feet to an alley; thence along said alley South fifty (50) feet to an alley ;thence along said alley East one hundred and fifty (150) feet to a post on Pine Street and place of beginning. Being known and designated in the general plan of said Borough as Lot No. 111.

Being identified in the Mapping and Assessment Office of Clearfield County as Tax Map No. 13.0-C11-304-00020.

7. The subject property was conveyed to Clara E. Fryer by Deed of William H. Fryer and Clara E. Fryer, his wife dated October 26, 1945 and filed for record in the Recorder's Office of Clearfield County to Deed Book 373, Page 361.

8. That Clara E. Fryer passed away May 5, 1955. The subject property was then conveyed by Ralph Fryer, Executor for the Last Will & Testament of Clara E. Fryer to Paul E. Hickes, Sr. And Hazel C. Hickes and Paul E. Hickes, Jr., as joint tenants with the right of survivorship. There was no identification of relationship between the Grantees of this Deed.

9. That by Deed dated October 3, 1972, Paul E. Hickes, Sr., a widower; Paul E. Hickes, Jr. And Frances E. Hickes, husband and wife, conveyed their interest in the subject property to Robert E. Dunn and Judith D. Dunn, husband and wife and filed for record in the Recorder's Office of Clearfield County to Deed Book 609, Page 098. This Deed contained no information as to Hazel C. Hickes, who did not join in the conveyance. There was no Death Certificate found for record in the Register of Wills Office of Clearfield County, or an Estate having been probated for Hazel C. Hickes.

10. That the property was then sold by the Tax Claim Bureau for delinquent taxes for the tax years 1989 through 1997 and conveyed to Russell E. Edginton and Elise I. Edginton by Deed dated March 3, 1999 and filed for record in the Recorder's Office of Clearfield County to Instrument No. 199903230.

11. That with respect to this property, Plaintiffs and their predecessors in title have exercised open, notorious and continuous dominion possession and control over the premises described in Paragraph 6 for a period in excess of 21 years adverse to any other claims of ownership.

12. That with respect to this property, Plaintiffs and their predecessors in title believed that the House and Lot 111 was conveyed to them and as a result of that belief, they have maintained it by paying taxes thereon.

13. That the purpose of this Quiet Title Action is to extinguish and cure any defects which may exist in the ownership of property more particularly described in Paragraph 6 hereof, and to extinguish any equity which the Defendants, their heirs, successors and assigns may have in the premises described in Paragraph 6 hereof.

14. That the Defendants, their heirs, successors and assigns identified in Paragraphs 3 through 5 of this Complaint are the only persons or entity known to Plaintiffs who have any interest in said property and the Defendants, their heirs, successors and assigns cannot be determined if he/they continue(s) to exist. All the public records in the Clearfield County Courthouse and local telephone books have been checked prior to reaching this conclusion.

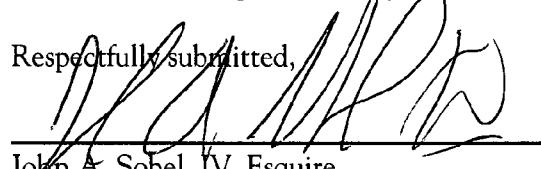
WHEREFORE, Plaintiffs request:

A. that be decree of your Honorable Court it may be declared that title to the premises set forth in Paragraph 6 is in the Plaintiffs and that they be allowed to enjoy said property in peace;

B. that the Defendants, their heirs, successors and assigns, within thirty (30) days from the receipt of this Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants, their heirs, successors and assigns be perpetually enjoined from setting up any title to said property from impeaching, denying or in any way attaching the Plaintiffs' title to said property, from issuing or maintaining an ejectment from said premises and from encumbering, mortgaging or conveying the said premises or any part thereof.

C. such other relief as the court determines to be equitable and just.

Respectfully submitted,


John A. Sobel, IV, Esquire
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

AFFIDAVIT

Before me, the undersigned officer, personally appeared, JOSEPH A. MILLER and FILIA L. MILLER who being duly sworn according to law deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information, and belief.

Joseph A. Miller
JOSEPH A. MILLER
Filia L. Miller
FILIA L. MILLER

Sworn to and subscribed
before me this 1st day
of September, 2006.

Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD COUNTY
MY COMMISSION EXPIRES JUNE 17, 2007

FILED

SEP 07 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. :
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, :
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :
NO. 2006-1452-CD
ACTION TO QUIET TITLE

CASE NUMBER: 06-19-CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: **MOTION FOR PUBLICATION** William A. Shaw
Prothonotary/Clerk of Courts

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

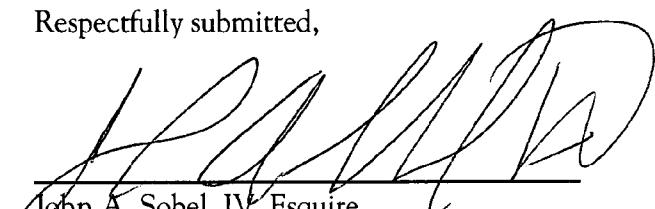
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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Defendants :

MOTION FOR PUBLICATION

AND NOW, to wit, this 6th day of September, 2006, an Affidavit having been filed by John A. Sobel, IV, attorney for the Plaintiffs, that the whereabouts of the above named Defendants their heirs, successors and assigns, are unknown, the said John A. Sobel, IV moves the Court for leave to serve the Complaint upon the said Defendants, their heirs, successors and assigns, generally by publication once in The Progress, Clearfield, Pennsylvania; the Clearfield County Legal Journal, Clearfield, Pennsylvania; and the Englewood Herald, Littleton, Colorado.

Respectfully submitted,



John A. Sobel, IV, Esquire
Attorney for Plaintiffs

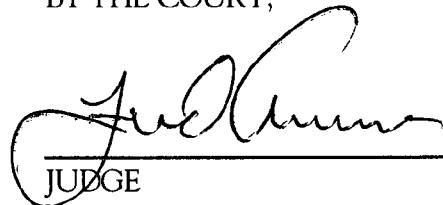
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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JOSEPH A. MILLER and :
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VS. : NO. 2006-1452-CJ
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Defendants :

ORDER

AND NOW, to wit, this 8 day of September, 2006, upon consideration
of the foregoing Motion, the Plaintiffs are granted leave to make service of the Complaint on the
Defendants, their heirs, successors and assigns, by publication once in The Progress, Clearfield,
Pennsylvania; the Clearfield County Legal Journal, Clearfield, Pennsylvania; and the Englewood
Herald, Littleton, Colorado.

BY THE COURT,



JUDGE

FILED
09/11/2006
SEP 11 2006
Amy Sobel
cc

William A. Shaw
Prothonotary/Clerk of Courts
68

FILED

SEP 11 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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JOSEPH A. MILLER and :
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CASE NUMBER: 2006-1452-CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: AFFIDAVIT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

FILED No. 10
09/20/06
OCT 09 2006 cm

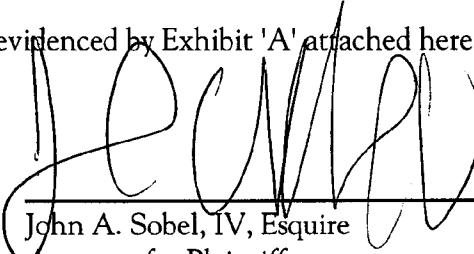
William A. Shaw
Prothonotary/Clerk of Courts

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AFFIDAVIT

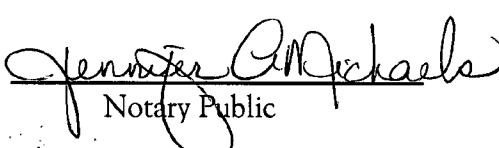
The undersigned hereby certifies that he did cause to have published in The Progress
the Notice for the Complaint with regard to the Quiet Title Action filed to the above on the
Defendants, their heirs, successors and assigns, as evidenced by Exhibit 'A' attached hereto.


John A. Sobel, IV, Esquire
Attorney for Plaintiffs

Sworn to and subscribed

before me this 6th day

of October, 2006.


Notary Public



FILED

OCT 09 2006

William A. Shaw
Prothonotary/Clerk of Courts

On this _____ day of <u>October</u> , A.D. 20 <u>06</u>	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 Clearfield and State 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 of advertisement published in said newspaper on <u>October 3, 2006</u>
And that the affiant is not interested in the subject matter of this statement as to the notice of advertising, and that all of the allegations of this statement are true.	
Sworn and subscribed to before me the day and year aforesaid.	
<p style="text-align: right;"><i>Signature of Notary Public</i></p> <p style="text-align: right;"><i>Signature of Subscriber</i></p>	
<p style="text-align: right;">Notary Public Commonwealth of PENNSYLVANIA</p> <p style="text-align: right;">Notary Seal</p> <p style="text-align: right;">Cheyenne Board, Notary Public Clearfield County My Commission Expires Dec 31, 2007</p> <p style="text-align: right;">Member, Pennsylvania Association Of Notaries</p>	
<p style="text-align: right;">Notary Public Clearfield, Pa.</p> <p style="text-align: right;">My Commission Expires Dec 31, 2007</p>	

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA

Clearfield,
son at Super 8 Motel,
weekends. Apply in per-
Must be able to work
NIGHT AUDITOR.

342-6262.
days. Philipsburg
care give, some hold-
NEEDED: Part-time
814-692-2214.

part-time available to full-time
perience. Benefits
salary depending on ex-
Fridays. Competitive
week, Monday through
immediately 40 hours per
Daytime hours, approx-
clean driving record.
enced driver and have a
hicle. Must be an expert
to drive collection ve-
to metal workers needed.
Phone Olanta 236-3920.

NON-CDL Truck Driver
WELDERS and Sheet
Pub, Clearfield.

Welders
Welders
Welders

Wednesdays
Wednesdays
Wednesdays

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Tuesdays

Mondays

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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CASE NUMBER: 2006-1452-CD
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TYPE OF PLEADING: COMPLAINT
FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

FILED

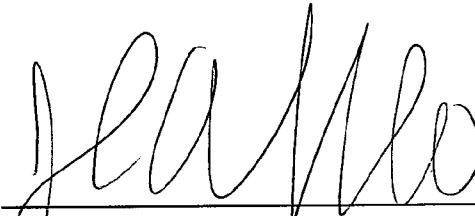
OCT 18 2006
13:40
William A. Shaw
Prothonotary/Clerk of Courts
no 4C

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Defendants :
:

AFFIDAVIT

The undersigned hereby certifies that he did cause to have published in Clearfield
County Legal Journal the Notice for the Complaint with regard to the Quiet Title Action filed to the
above on the Defendants, their heirs, successors and assigns, as evidenced by Exhibit 'A' attached
hereto.



John A. Sobel, IV, Esquire
Attorney for Plaintiffs

Sworn to and subscribed

before me this 18th day

of October, 2006.



Maggie S. Billotte
Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

MAGGIE S. BILLOTTE, NOTARY PUBLIC
CLEARFIELD BORO, CLEARFIELD CO.
MY COMMISSION EXPIRES SEPT. 15, 2008

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD :

On this 6th day of October 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 October 6, 2006, Vol. 18 No. 40. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire

Editor

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

Sharon J. Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

John A. Sobel IV
218 S 2nd St
Clearfield PA 16830

William A. Shaw
Protthonotary/Clerk of Courts

OCT 18 2006

FILED

Being identified in the Mapping and Assessment Office of Clearfield County as Tax Map No. 13.0-C11-304-00020.

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed the 8th day of September, 2006, direct that notice of this action be served upon you by advertisement in the Clearfield County Legal Journal and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate order, forever barred from asserting any right, lien, title or interest or claim of the Plaintiff as set forth in his Complaint.

John A. Sobel, IV, Esquire, Attorney for Plaintiffs, 218 S. Second Street, Clearfield, PA 16830, (814) 765-5552.

LAWYERS REFERRAL SERVICE
David S. Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814.765.2641 x5982

MARK J. UDREN
ATTORNEY FOR PLAINTIFF
UDREN LAW OFFICES, P.C.
Woodcrest Corporate Center
111 Woodcrest Rd., Ste. 200
Cherry Hill, NJ 08003-3620
856.482.6900

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

IN THE

YARGER, GERALD IRVIN, Dec'd
a/k/a **GERALD I. YARGER**
Late of Houtzdale
Executrix: **MARLENE I. YARGER**
Attorney: **JOHN R. RYAN**
PO Box 1
15 North Front Street
Clearfield, PA 16830

**JOSEPH
FILIA A.**

PETERS, MARGARET E., Dec'd
a/k/a **MARGARET ELIZABETH PETERS**
Late of Bigler
Co-Executors:
HOWARD BURTON PETERS
BETSY ELLEN ROSS

Attorney: **KIMBERLY M. KUBISTA**
PO Box 1
15 North Front Street
Clearfield, PA 16830

**ROBERT
JUDITH
their hei:
HAZEL
successo
entity cla
herein de**

RICHARDS, MONA J., Dec'd
Late of Madera
Executor:
GEORGE FINLEY RICHARDS
Attorney: **LEHMAN & KASUBICK**
611 Brisbin Street
Houtzdale, PA 16651

NELSON, RICHARD CARL, Dec'd
Late of DuBois
Executrix: **ELAINE F. NELSON**
Attorney: **GLEASON, CHERRY &
CHERRY, L.L.P.**
One North Franklin Street
PO Box 505
DuBois, PA 15801-0505

STEWART, JOHN E., Dec'd
Late of Pike Township
Executrix: **PAULA M. CHERRY**
Attorney: **GLEASON, CHERRY &
CHERRY**
One North Franklin Street
PO Box 505
DuBois, PA 15801

CASE NU

First Publication

TYPE OF

PHILAGE, HELEN, Dec'd

Late of Madera
Executor: **ROBERT A. PHILAGE, JR.**
Attorney: **LEHMAN & KASUBICK**
611 Brisbin Street
Houtzdale, PA 16651

FILED ON

DIXON, THOMAS A., Dec'd
Executrix: **BARBARA E. DIXON**
Attorney: **DWIGHT L. KOERBER, JR.**
110 North Second Street
PO Box 1320
Clearfield, PA 16830

ARFIELD COUNTY, PENNSYLVANIA
(VISION)

NO. 2006-1452-CD

ACTION TO QUIET TITLE

:

)

tion

and two and five tenths (102.5) feet to post, thence by said alley and lands of Alex Larson. North three degrees and thirty minutes West one hundred and eighty-six feet (186) to post; thence by another alley South eighty-five degrees and thirty minutes West eighty-seven and six tenths (87.6) feet to post; thence by lands of August Bloomquest (now Hovan) South thirty minutes East one hundred and eighty-five and eight tenths (185.8) feet to post and

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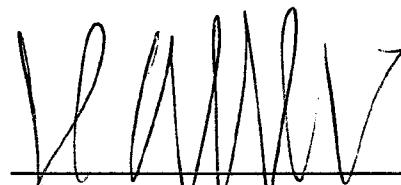
William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD
: :
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :
:

AFFIDAVIT

The undersigned hereby certifies that he did cause to have published in the Englewood Herald the Notice for the Complaint with regard to the Quiet Title Action filed to the above on the Defendants, their heirs, successors and assigns, as evidenced by Exhibit 'A' attached hereto.

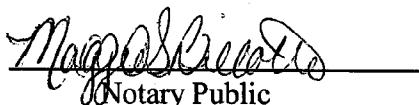


John A. Sobely IV, Esquire
Attorney for Plaintiffs

Sworn to and subscribed

before me this 27th day

of October, 2006.



Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
MAGGIE S. BILLOTTE, NOTARY PUBLIC
CLEARFIELD BORO, CLEARFIELD CO.
MY COMMISSION EXPIRES SEPT. 15, 2008

PROOF OF PUBLICATION
THE
ENGLEWOOD HERALD

STATE OF COLORADO

ss

COUNTY OF ARAHPOE

I, Jeremy S. Bangs, do solemnly swear that
I am the Managing Editor of

THE ENGLEWOOD HERALD

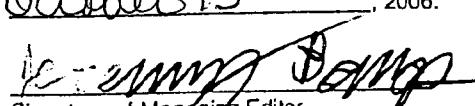
and that same is a weekly newspaper published in the City of Littleton, in the County of Arapahoe, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Arapahoe for a period of more than 52 weeks prior to the first publication of the annexed notice; that said newspaper is entered in the Post Office of Littleton, Colorado as Second Class Mail matter and that the said newspaper is a newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements" and other acts relating to the printing and publishing of legal notices and was published in the regular and entire issues of said newspaper, once each week, on the same day of each week, for a period of

1 consecutive insertions and that the first publication of said notice was in the issue of said newspaper dated

October 13, 2006.

The last publication of said notice was in the issue of said newspaper dated

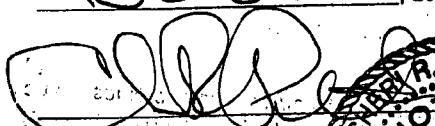
October 13, 2006.


Signature of Managing Editor
Jeremy S. Bangs

Subscribed and sworn to before me, a

Notary Public, this 23rd day of

October, 2006.


Signature of Notary Public
R. Peter Bangs
Notary Public
State of Colorado
My Commission Expires 11/09/2009



PUBLIC NOTICE

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

JOSEPH A. MILLER and FILIA A.
MILLER, husband and wife, Plaintiffs

vs.

ROBERT E. DUNN and JUDITH D.
DUNN, husband and wife, their heirs,
successors and assigns;
HAZEL C. HICKES her heirs, successors
and assigns; and/or any person or
entity claiming title in and to the herein
described premises under them,
Defendants

NO. 2006-1452-CD
ACTION TO QUIET TITLE

NOTICE

TO THE ABOVE NAMED DEFENDANTS their heirs, successors and assigns:

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth 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 further notice for any money claimed in the Complaint of for any other claim or relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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

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

You are hereby notified that an Action to Quiet Title to all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Borough of Mahaffey, having the Tax Map No. 130-C11-304-00020, and more particularly described as follows:

ALL that certain lot or piece of land situated in the Borough of Mahaffey, Clearfield County, Pennsylvania, bounded and described as follows:

Mahaffey Borough
Map No. 013-C11-304-00020
H & L #111

More particularly identified by Deed in the chain of title and found filed to Deed

Book 609, Page 098, bounded and
described as follows:

BEGINNING at a post at the corner of an alley and Pine Street; thence North fifty (50) feet along said Pine Street to corner of Lot No. 112; thence West along said Lot No. 112 one hundred and fifty (150) feet to an alley; thence along said alley South fifty (50) feet to an alley; thence along said alley East one hundred and fifty (150) feet to a post on Pine street and place of beginning. Being known and designated in the general plan of said Borough as Lot no. 111.

Being identified in the Mapping and Assessment Office of Clearfield County as Tax Map No. 130-C11-304-00020.

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed the 8th day of September, 2006, direct that notice of this action be served upon you by advertisement in the Englewood Herald and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate order, forever barred from asserting any right, lien, title or interest or claim of the Plaintiff as set forth in his Complaint.

John A. Sobel, IV, Esquire
Attorney for Plaintiffs
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

Date Published: October 13, 2006
Englewood Herald: # 2648

FILED

OCT 30 2006

William A. Shaw
Prothonotary/Clerk of Courts



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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD

ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

FILED *cc*
01/11/2007 Atty Sobel
NOV 28 2006
GK

William A. Shaw
Prothonotary/Clerk of Courts

CASE NUMBER: 2006-1452-CD

TYPE OF CASE: Quiet Title Action

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

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

JOSEPH A. MILLER and	:	
FILIA A. MILLER, husband and wife	:	
Plaintiffs	:	
VS.	:	NO. <u>2006-1452-CD</u>
	:	
ROBERT E. DUNN and	:	
JUDITH D. DUNN, husband and wife,	:	
their heirs, successors and assigns;	:	
HAZEL C. HICKES her heirs,	:	ACTION TO QUIET TITLE
successors and assigns; and/or any person or	:	
entity claiming title in and to the	:	
herein described premises under them,	:	
Defendants	:	

ORDER

AND NOW, this 23 day of November, 2006 it appearing that service of the Complaint in the above captioned case, with notice to plead, was served in The Progress, Clearfield, Pennsylvania , the Clearfield County Legal Journal, Clearfield, Pennsylvania, and the Englewood Herald, Littleton, Colorado, and an Affidavit having been filed with the Prothonotary as to attempts made to obtain information and the whereabouts of the Defendants, and it further appearing that no answer has been filed nor appearance entered by any of the said Defendants or their duly authorized representatives and more than twenty (20) days having elapsed since the advertisement thereof, it is hereby ORDERED as follows:

1. That the above named Defendants, their heirs, successors and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim

of the Plaintiffs as set forth in their Complaint in and for all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Borough of Clearfield and more particularly described as follows:

Tax Map No. 2.0-A13-309-00048

ALL that certain lot or piece of ground situate in the Borough of Burnside, County of Clearfield and State of Pennsylvania, bounded on the North by First Street; on the East by Walnut Street; on the South by property of A.H. Wright; and on the West by an alley; being eighty (80) feet in front and extending back one hundred and sixty (160) feet.

Now by survey of Curry and Associates being described as follows:

ALL that parcel of land known as Lot Nos. 8 and 10 as shown on Map Showing Lands of Horace Patchin and A.W. Patchin Estates by E.W. Hess Engineer, dated September 7, 1909, lying off the southwest corner of First and Walnut Streets in the Borough of Burnside, Clearfield County, Pennsylvania, and being more particularly described as follows:

BEGINNING at a 3/4 inch rebar set on the southwest corner of First and Walnut Streets, said rebar being the northeast corner of the land herein conveyed and running; thence South 13 degrees 33 minutes 03 seconds East a distance of 130.00 feet along the western side of Walnut Street to a 3/4 inch rebar set at the northeast corner of Kenneth P. And Joy L. Wetzel, as was conveyed to them by Instrument No. 200400120; thence South 76 degrees 27 minutes 48 seconds West a distance of 160.00 feet along the lands of Kenneth P. Wetzel and Joy L. Wetzel and along the northern line of James D. And Theresa E. Neely, as was conveyed to them by deed Book 1983, Page 574 and page 578, to a 3/4 inch rebar set at the northwest corner of James D. And Theresa E. Neely, said rebar being on the eastern side of an unopened alley known as Diamond Alley; thence North 13 degrees 33 minutes 03 seconds West a distance of 130.00 feet along the eastern line of an unopened alley referred to as Diamond Alley to a 3/4 inch rebar set on the southern side of First Street; thence North 76 degrees 27 minutes 48 seconds East a distance of 160.00 feet along the southern line of First Street to a 3/4 inch rebar set and place of beginning.

Containing 20,800 square feet or 0.478 acre and being all that land bounded on the North by First Street, on the East by Walnut Street, on the South by property of A.H. Wright and on the West by an alley, also known as Lot 8 and Lot 10 as shown on Map Showing Lands of Horace Patchin and A.W. Patchin Estates by E.W. Hess Engineer, dated September 7, 1909. Bearings above are based on True North, and shown on a subdivision map prepared by Curry and Associates dated July 12, 2005.

Said Order to be final and absolute unless the aforesaid Defendant, his heirs, successors and assigns, shall file exceptions to this Order within thirty (30) days of the date hereof.

2. That if said above named Defendants, their heirs, successors and assigns, shall not have filed said exceptions within thirty (30) days, the Prothonotary, upon Praecept of Plaintiffs,

shall enter final judgment for Plaintiffs and against said named Defendants, their heirs, successors and assigns.

3. That the rights of Plaintiffs in said premises are at all times superior to the rights of said named Defendants, their heirs, successors and assigns and that the Plaintiffs have title in fee simple to said premises described in the Complaint as against said Defendants, their heirs, successors and assigns.

4. That the Defendants, their heirs, successors and assigns or any person claiming under them shall be forever enjoined from setting up any title to the premises of Plaintiffs described in the Complaint and from impeaching, denying or in any way attacking the title of Plaintiffs to said premises.

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

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

BY THE COURT,



Judge

FILED

NOV 28 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD
:
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

CASE NUMBER: 2006-1452-CD

TYPE OF CASE: Quiet Title Action

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

(P.M.)
FILED No. 27
9/12/00 cm
DEC 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD
:
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

PRAECIPE TO ENTER FINAL JUDGMENT

TO THE PROTHONOTARY:

Please enter a final judgment against the above named Defendants, their heirs, successors and assigns and on behalf of the above named Plaintiffs for such relief as requested in an Order dated the 22nd day of November, 2006.

Respectfully submitted,



John A. Sobel, IV, Esquire
Attorney for Plaintiffs

FILED

DEC 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD
:
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any :
person or entity claiming title in and :
to the herein described premises under :
them,
Defendants :

CASE NUMBER: 2006-1452-CD

TYPE OF CASE: Quiet Title Action/PETITION TO AMEND ORDER

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: JOHN A. SOBEL, IV, ESQUIRE
Supreme Court I.D. No. 31670
218 S. Second Street
Clearfield, PA 16830
(814) 765-5552

FILED *acc*
01/23/2009 Atty Sobel
JUN 25 2009
S
William A. Shaw
Prothonotary/Clerk of Courts
(60)

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

JOSEPH A. MILLER and	:
FILIA A. MILLER, husband and wife	:
Plaintiffs	:
VS.	:
	NO. <u>2006-1452-CD</u>
ROBERT E. DUNN and	:
JUDITH D. DUNN, husband and wife,	:
their heirs, successors and assigns;	:
HAZEL C. HICKES her heirs,	:
successors and assigns; and/or any	:
person or entity claiming title in and	:
to the herein described premises under	:
them,	:
Defendants	:

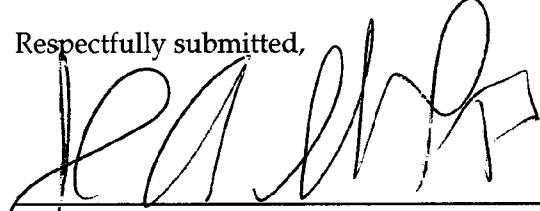
Petition To Amend Order

AND NOW, comes JOHN A. SOBEL, IV, attorney for JOSEPH A. MILLER and
FILIA A. MILLER, his wife, who avers as follows:

1. That on November 22, 2006 your Honorable Court executed a Final Order in the above captioned action.
2. That the Final Order submitted to the Court by the Plaintiffs and prepared by the Plaintiffs contained an incorrect description of the subject property.
3. That said incorrect description was as a result of a clerical error.
4. That all prior instances in the above captioned action in which the subject property was described in pleadings submitted to the Court, said pleadings contained correct descriptions of the same.
5. That the Plaintiffs are now submitting a corrected Order to the Court in order that the Final Order contain a correct description.

WHEREFORE, the Plaintiffs respectfully request that the Court execute the attached corrected Order and authorize the recording of said Order in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

Respectfully submitted,



John A. Sobel, IV, Esquire

FILED

JUN 25 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

FILED *QCC*

01/10/52 B&T Atty
JUN 30 2009 *Sobel*

William A. Shaw
Prothonotary/Clerk of Courts

JOSEPH A. MILLER and :
FILIA A. MILLER, husband and wife :
Plaintiffs :
VS. : NO. 2006-1452-CD
:
ROBERT E. DUNN and :
JUDITH D. DUNN, husband and wife, :
their heirs, successors and assigns; :
HAZEL C. HICKES her heirs, : ACTION TO QUIET TITLE
successors and assigns; and/or any :
person or entity claiming title in and :
to the herein described premises under :
them, :
Defendants :

ORDER

AND NOW, this 29 day of June, 2009, a Petition having been filed by John A. Sobel, IV, on behalf of the Plaintiffs, and it being noted the Final Order issued by the Court and dated November 22, 2006 contained an incorrect property description, the Court hereby ORDERS as follows:

1. That the above named Defendants, their heirs, successors and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint in and for all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Borough of Clearfield and more particularly described as follows:

ALL that certain lot or piece of land situated in the *Borough of Mahaffey*, Clearfield County, Pennsylvania, bounded and described as follows:

Mahaffey Borough
Map No. 013-C11-304-00020
H & L #111

More particularly identified by Deed in the chain of title and found filed to Deed Book 609, Page 098, bounded and described as follows:

BEGINNING at a post at the corner of an alley and Pine Street; thence North fifty (50) feet along said Pine Street to corner of Lot No. 112; thence West along said Lot No. 112 one hundred and fifty (150) feet to an alley; thence along said alley South fifty (50) feet to an alley; thence along said alley East one hundred and fifty (150) feet to a post on Pine Street and place of beginning. Being known and designated in the general plan of said Borough as Lot No. 111.

Being identified in the Mapping and Assessment Office of Clearfield County as Tax Map No. 13.0-C11-304-00020.

3. That the rights of Plaintiffs in said premises are at all times superior to the rights of said named Defendants, their heirs, successors and assigns and that the Plaintiffs have title in fee simple to said premises described in the Complaint as against said Defendants, their heirs, successors and assigns.

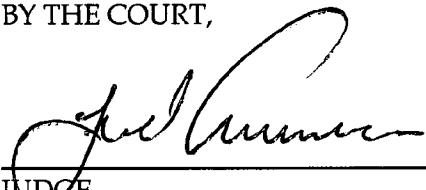
4. That the Defendants, their heirs, successors and assigns or any person claiming under them shall be forever enjoined from setting up any title to the premises of Plaintiffs described in the Complaint and from impeaching, denying or in any way attacking the title of Plaintiffs to said premises.

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

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

7. That the prior Order issued by the Court on November 22, 2006 as a Final Order in the above captioned action is hereby rescinded.

BY THE COURT,



JUDGE

FILED

JUN 30 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 6/30/09

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: