

06-1560-CD
John Dekleva et al vs Treasure Lake of PA

2006-1560-CD
John Dekleva et al vs Treasure Lake et al

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

JOHN ROBERT DEKLEVA :
DONNA LEE DEKLEVA, :
husband and wife, :
Plaintiffs :
:

vs. : No. 06-1560C.D.

TREASURE LAKE OF PENNSYLVANIA, :
INC, HAVEN HOMES, INC, and :
RECREATION LAND CORPORATION, :
their successors and assigns and any person :
or entity claiming, or who might claim :
title under the aforesaid defendant; and :
any other person, persons, firms :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
:

Defendants :
:

ACTION TO QUIET TITLE

Type of Pleading: Complaint

Filed on behalf of: John Robert Dekleva
and Donna Lee Dekleva

Counsel of Record for this party:

Hopkins Heltzel LLP

David J. Hopkins, Esquire
Supreme Court No. 42519

Lea Ann Heltzel, Esquire
Supreme Court No. 83998

100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801

(814) 375-0300

FILED Atty pd. 95.00
m/12/50/01

SEP 26 2006 rec Atty
S

William A. Shaw
Prothonotary/Clerk of Courts

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

JOHN ROBERT DEKLEVA	:	
DONNA LEE DEKLEVA,	:	
husband and wife,	:	
Plaintiffs	:	
vs.	:	No. 06- C.D.
TREASURE LAKE OF PENNSYLVANIA,	:	ACTION TO QUIET TITLE
INC, HAVEN HOMES, INC, and	:	
RECREATION LAND CORPORATION,	:	
their successors and assigns and any person	:	
or entity claiming, or who might claim	:	
title under the aforesaid defendant; and	:	
any other person, persons, firms	:	
partnerships, or corporate entities who	:	
might claim title to the premises herein	:	
described,	:	
Defendants	:	

NOTICE

TO DEFENDANTS:

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 judgement 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.

Office of the Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641

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

JOHN ROBERT DEKLEVA	:	
DONNA LEE DEKLEVA,	:	
husband and wife,	:	
		Plaintiffs
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vs.	:	No. 06- C.D.
	:	
TREASURE LAKE OF PENNSYLVANIA,	:	ACTION TO QUIET TITLE
INC, HAVEN HOMES, INC, and	:	
RECREATION LAND CORPORATION,	:	
their successors and assigns and any person	:	
or entity claiming, or who might claim	:	
title under the aforesaid defendant; and	:	
any other person, persons, firms	:	
partnerships, or corporate entities who	:	
might claim title to the premises herein	:	
described,	:	
		Defendants

COMPLAINT

AND NOW, come Plaintiffs, John Robert Dekleva and Donna Lee Dekleva, husband and wife, by and through their attorneys, Hopkins Heltzel LLP, and avers as follows:

1. Plaintiffs are husband and wife who reside at 1010 California Avenue, Natrona Heights, Pennsylvania 15065.
2. The property to be quieted is Section 6A, Lot No. 19 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.
3. Defendant Treasure Lake of Pennsylvania, Inc. was, to the best knowledge, information, and belief of Plaintiffs, a Pennsylvania corporation that is no longer in existence.

The whereabouts of Defendant Treasure Lake of Pennsylvania, Inc. is unknown and Defendant Treasure Lake, Inc. is not believed to have any successors or assigns.

4. Defendant Recreation Land Corporation was, to the best knowledge, information, and belief of Plaintiffs, a Pennsylvania corporation that is no longer in existence. The whereabouts of Defendant Recreation Land Corporation is unknown and Defendant, Recreation Land Corporation, is not believed to have any successors or assigns.

5. Defendant Haven Homes, Inc. was, to the best knowledge, information, and belief of Plaintiffs, a Pennsylvania corporation that is no longer in existence. The whereabouts of Defendant Haven Homes, Inc. is unknown and Defendant Haven Homes, Inc. is not believed to have any successors or assigns.

6. By deed dated May 21, 1969, and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 552, at page 248, Defendant Treasure Lake, Inc. conveyed the property at issue to Albert L. Elder and Opal E. Elder, his wife.

7. By deed dated February 22, 1976, and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 731, at page 156, Defendant Treasure Lake of Pennsylvania, Inc. conveyed the property at issue to Albert L. Elder and Opal E. Elder, husband and wife.

8. By deed dated October 27, 1979 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 789, at page 326, Albert L. Elder and Opal E. Elder, husband and wife, conveyed the property at issue unto Defendant Haven Homes, Inc.

9. By deed dated October 19, 1979, and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 789, at page 523, Haven Homes, Inc., attempted to convey the property to Defendant Treasure Lake of Pennsylvania, Inc. However, said transfer was ineffective because Haven Homes, Inc. had not yet acquired good and market title to the property from Albert L. Elder and Opal E. Elder when Defendant Haven Homes, Inc. made the attempted transfer. The attempted transfer was ineffective because Haven Homes, Inc. did not own anything to sell when it attempted the transfer to Treasure Lake of Pennsylvania, Inc.

10. Defendant Recreation Land Corporation is the successor in interest to Treasure Lake of Pennsylvania, Inc.

12. By deed dated September 26, 1982 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 868, at page 148, Defendant Recreation Land Corporation attempted to convey the property at issue unto the Plaintiffs.

13. The title to the property set forth in paragraph 2 is defective in that Haven Homes, Inc. conveyed the property in 1979 before it owned the property. Thus Defendant Haven Homes, Inc. did not convey any interest to Defendant Treasure Lake of Pennsylvania, Inc. in 1979.

14. Plaintiffs have held the property openly, notoriously, and hostilely to all humanity since 1983 and thus have acquired title by adverse possession.

15. The purpose of this quiet title action is to remove any clouds upon the title to the property described in paragraph 2 as a result of the ineffective transfer by Defendant Haven Homes, Inc. to Defendant Treasure Lake of Pennsylvania, Inc. in 1979.

WHEREFORE, Plaintiffs request the Court to decree that title to the premises described herein be granted unto Plaintiffs in fee simple and absolutely; and that the Defendants, their, successors and assigns, and all other person, persons, firms, partnerships, or corporate entities in interests, or their legal representatives be forever barred from asserting any right, lien, or interest inconsistent with the interest or claim of the Plaintiffs as set forth herein, in and to the property described as all that certain tract of land designated as Lot No. 19, Section 6A in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.

Respectfully submitted,



David J. Hopkins, Esquire
Attorney for Plaintiffs

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of
18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the
statements made in this pleading are true and correct.


John Robert Dekleva
JOHN ROBERT DEKLEVA

Date: September 16, 2006

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of
18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the
statements made in this pleading are true and correct.


Donna Lee Dekleva
DONNA LEE DEKLEVA

Date: September 16, 2006

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

JOHN ROBERT DEKLEVA

DONNA LEE DEKLEVA,

husband and wife,

Plaintiffs

vs.

No. 06-1560 C.D.

TREASURE LAKE OF PENNSYLVANIA, INC,

HAVEN HOMES, INC, and

RECREATION LAND CORPORATION,

their successors and assigns and any person

or entity claiming, or who might claim

title under the aforesaid defendant; and

any other person, persons, firms

partnerships, or corporate entities who

might claim title to the premises herein

described,

ACTION TO QUIET TITLE

Defendants

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William A. Shaw
Prothonotary/Clerk of Courts

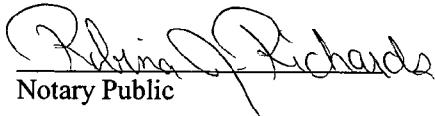
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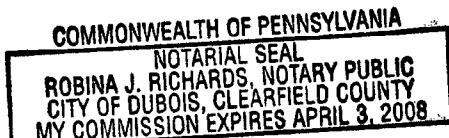
David J. Hopkins, Esquire, being duly sworn according to law, hereby certifies that he has made a search of the records of the Pennsylvania Department of State in an effort to ascertain successors or assigns of Treasure Lake of Pennsylvania, Inc., Recreation Land Corporation and Haven Homes, Inc., and to the best knowledge, information and belief of your Affiant, neither Treasure Lake of Pennsylvania, Inc., Recreation Land Corporation nor Haven Homes, Inc., are corporate entities that are operational and there are no successors or assigns of any corporation.


David J. Hopkins, Esquire

Date: September 26, 2006

Sworn to and subscribed before me
this 26 day of September, 2006.

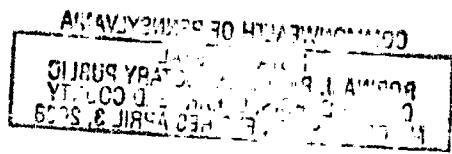

Notary Public



FILED

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William A. Straw
Prothonotary/Clark of Courts



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

JOHN ROBERT DEKLEVA :
DONNA LEE DEKLEVA, :
husband and wife, :
Plaintiffs :

vs. :
No. 06-1560-C.D.

TREASURE LAKE OF PENNSYLVANIA, :
INC, HAVEN HOMES, INC, and :
RECREATION LAND CORPORATION, :
their successors and assigns and any person :
or entity claiming, or who might claim :
title under the aforesaid defendant; and :
any other person, persons, firms :
partnerships, or corporate entities who :
might claim title to the premises herein :
described,
Defendants :
:

ACTION TO QUIET TITLE

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m/26/2006 Atty
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S

William A. Shaw
Prothonotary/Clerk of Courts

MOTION FOR PUBLICATION

AND NOW, this 22nd day of September, 2006 an Affidavit having been executed and filed on behalf of John Robert Dekleva and Donna Lee Dekleva, husband and wife, and that the whereabouts of Treasure Lake of Pennsylvania, Inc., Recreation Land Corporation and Haven Homes, Inc., their successors and assigns, and all other person, persons claiming, or might claim title under the aforesaid Defendants, and any person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described, are unknown.

The Plaintiffs, by their counsel, Hopkins Heltzel LLP, requests the Court for leave to serve the Complaint on the above mentioned Defendant, its successors and assigns, and all other person, persons claiming, or might claim title under the aforesaid defendant, and any person,

persons, firms, partnerships, or corporate entities who might claim title to the premises herein described, or their legal representatives, generally, by publication in such manner as the Court shall direct and as provided by the Pa. R.C.P. Rule 410, and Pa.R.C.P. Rule 430.



DAVID J. HOPKINS, ESQUIRE

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

JOHN ROBERT DEKLEVA :
DONNA LEE DEKLEVA, :
husband and wife, :
Plaintiffs :
vs. :
TREASURE LAKE OF PENNSYLVANIA, :
INC, HAVEN HOMES, INC, :
RECREATION LAND CORPORATION, :
their successors and assigns and any person :
or entity claiming, or who might claim :
title under the aforesaid defendant; and :
any other person, persons, firms :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants

No. 06-1560-C.D.

ACTION TO QUIET TITLE

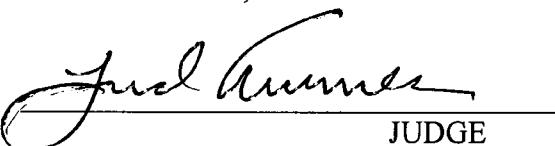
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SEP 27 2006 (6K)

William A. Shaw
Prothonotary/Clerk of Courts

ORDER FOR PUBLICATION

AND NOW, this 27 day of September 2006, upon the consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of the Complaint on the above mentioned Defendants, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, by publication one time in The Courier Express, a newspaper published in the City of DuBois, in general circulation of the County of Clearfield, Commonwealth of Pennsylvania and in The Clearfield Legal Journal.

BY THE COURT,



JUDGE

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

JOHN ROBERT DEKLEVA and :
DONNA LEE DEKLEVA, :
husband and wife, :
Plaintiffs :
vs. : No. 06-1560 C.D.
: :
TREASURE LAKE OF PENNSYLVANIA, : ACTION TO QUIET TITLE
INC, HAVEN HOMES, INC, and :
RECREATION LAND CORPORATION, :
their successors and assigns and any person :
or entity claiming, or who might claim :
title under the aforesaid defendant; and :
any other person, persons, firms :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :
:

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01/30/2006
NOV 09 2006 Atty
William A. Shaw
Prothonotary/Clerk of Courts
Hopkins
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MOTION FOR JUDGMENT

AND NOW, this 6th day of November, 2006, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiffs, John Robert Dekleva and Donna Lee Dekleva, that the Complaint with Notice to Plead was served on Defendants. Defendants were served by publication pursuant to the Rules of Civil Procedure and Defendants have failed to file an answer. The Plaintiffs, by and through their attorney, move the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above named case and to grant to the Plaintiffs the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiffs further request

that the Honorable Court modify in accordance with Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

Respectfully submitted,



David J. Hopkins, Esquire
Attorney for Plaintiffs

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

No. 06-1560 C.D.
ACTION TO QUIET TITLE

JOHN ROBERT DEKLEVA DONNA LEE DEKLEVA, husband and
wife, Plaintiffs

vs.

TREASURE LAKE OF PENNSYLVANIA, NC, HAVEN HOMES,
NC, and RECREATION LAND CORPORATION, their successors
and assigns and any person or entity claiming, or who might claim
title under the aforesaid defendant; and any other person, persons,
firms partnerships, or corporate entities who might claim title to the
premises herein described, Defendants

QUIET TITLE ACTION NOTICE

TO: Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc., and
Recreation Land Corporation, their heirs, devisees, administrators,
executors, successors and assigns, and all other person, persons,
firms, partnerships or corporate entities in interest.

You are hereby notified that an action to quiet title to the premises
situate, lying and being in Sandy Township and identified as Section
6A, Lot No. 19 in the Treasure Lake Subdivision, Clearfield
County, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action
is to extinguish any right or equity which the Defendants above
named and their heirs, administrators, executors and assigns may
have in the property as described above. The Plaintiffs in this action,
after a diligent search, have been unable to locate the Defendants
or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served
on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN AP-
PEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR
DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT.
YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE
MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE
ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR
THE RELIEF REQUESTED BY THE PLAINTIFFS. YOU MAY
LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT
TO YOU.

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

Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641

David J. Hopkins
Attorney for Plaintiffs
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300

10/11/06

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

Under act 587, Approved May 16, 1929, P.L. 1784

**STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

SS:

Linda Smith, Advertising Director or Dory Ferra, Classified Advertising Supervisor of the **Courier-Express/Tri-County Sunday/Jeffersonian Democrat** of the County and State aforesaid, being duly sworn, deposes and says that the **Courier Express**, a daily newspaper, the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

11th day of October A.D., 2006

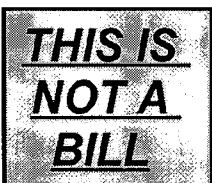
Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

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

By Linda Smith

Sworn and subscribed to before me this 24th day of Oct., 2006

Robin M. Duttry
NOTARY PUBLIC



Statement of Advertising Cost
McLEAN PUBLISHING COMPANY

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

DuBois, PA

NOTARIAL SEAL
ROBIN M. DUTTRY, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 16, 2010

TO Hopkins Heltzell LLP

For publishing the notice or advertisement	
attached hereto on the above stated dates.....	<u>\$251.10</u>
Probating same.....	<u>\$7.50</u>
Total.....	<u>\$258.60</u>

Publisher's Receipt for Advertising Costs

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

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

Established 1879, Phone 814-371-4200

McLEAN PUBLISHING COMPANY

Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By _____

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

ATTORNEY FOR

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

JOHN ROBERT DEKLEVA, DONNA LEE DEKLEVA, husband and wife, Plaintiffs vs. TREASURE LAKE OF PENNSYLVANIA, INC., HAVEN HOMES, INC. and RECREATION LAND CORPORATION, their successors and assigns and any person or entity claiming, or who might claim title under the aforesaid defendant; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described, Defendants

No. 2006-1560-CD

QUIET TITLE ACTION NOTICE

TO: Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc., and Recreation Land Corporation, their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

You are hereby notified that an action to quiet title to the premises situate, lying and being in Sandy Township and identified as Section 6A, Lot NO. 19 in the Treasure Lake Subdivision, Clearfield County, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and his heirs, administrators, executors and assigns may have in the property as described above. The Plaintiffs in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE

ENTERED AGAINST YOU--WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFFS. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

Court Administrator, Clearfield County Courthouse, 230 East Market Street, Clearfield, PA 16830. (814) 765-2641.

David J. Hopkins, Esquire, Attorney for Plaintiffs, 900 Beaver Drive, DuBois, PA 15801. (814) 375-0300.

William A. Shaw
Prothonotary/Clerk of Courts

NOV 09 2006

FILED

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA

COUNTY OF CLEARFIELD

On this 13th 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 13, 2006, Vol. 18 No. 41. 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

David J Hopkins
900 Beaver Dr
DuBois PA 15801

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

JOHN ROBERT DEKLEVA and :
DONNA LEE DEKLEVA, :
husband and wife, :
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vs. : No. 06- 1560 C.D.
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TREASURE LAKE OF PENNSYLVANIA, : ACTION TO QUIET TITLE
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RECREATION LAND CORPORATION, :
their successors and assigns and any person :
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partnerships, or corporate entities who :
might claim title to the premises herein :
described,
Defendants :
:

FILED *1cc*
01/35/06 *Att'y Hopkins*
NOV 09 2006 *DS*

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
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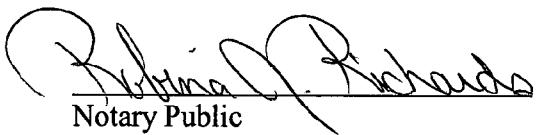
Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiffs, John Robert Dekleva and Donna Lee Dekleva, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants, Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc. and Recreation Land Corporation, and their successors and assigns, by publication, and more than twenty (20) days have elapsed since said service, and that the said

Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.



David J. Hopkins, Esquire

Sworn to and subscribed before me this
7th day of November, 2006.

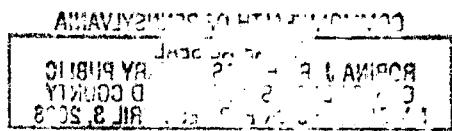


Robina J. Richards
Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

ROBINA J. RICHARDS, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 3, 2008



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NOV 09 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

JOHN ROBERT DEKLEVA and :
DONNA LEE DEKLEVA, :
husband and wife, :
Plaintiffs :
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any other person, persons, firms :
partnerships, or corporate entities who :
might claim title to the premises herein :
described, :
Defendants :
:

FILED 2 CC
01/10/1960 Atty
NOV 14 2006 Hopkins

William A. Shaw
Prothonotary/Clerk of Courts GK

ORDER

AND NOW, this 13th day of November, 2006 appearing that service of the
Complaint to Quiet Title in the above stated action was served upon Defendants, Treasure Lake
of Pennsylvania, Haven Homes, Inc. and Recreation Land Corporation, by publication and by
Affidavit of David J. Hopkins, Attorney for Plaintiffs, that no answer or appearance has been
filed to said action, and on Motion of David J. Hopkins, Esquire, it is hereby ORDERED and
DECREED:

1. That the Defendants, Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc. and
Recreation Land Corporation, and their successors and assigns and all persons, firms,
partnerships, or corporate entities in interest, 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 to:

All that certain tract of land designated as Section 6A, Lot 19 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.

2. The property in this quiet title action is vacant land. It is further identified as Tax Map Parcel No. 128-C02-06a-00019-00-21.

3. That title to said property is now vested in John Robert Dekleva and Donna Lee Dekleva as prayed.

4. That the rights of the Plaintiffs are superior to the rights of the Defendants, Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc. and Recreation Land Corporation, their successors and assigns and any person or entity claiming or who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.

5. That the Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc. and Recreation Land Corporation, and their successors and assigns.

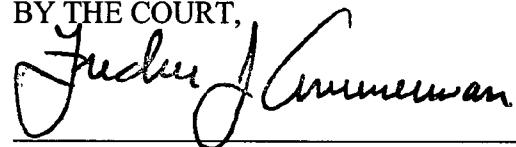
6. That the Defendants, Treasure Lake of Pennsylvania, Inc., Haven Homes, Inc. and Recreation Land Corporation, and their successor assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises.

7. That the thirty (30) days provisions of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of Pennsylvania Rules of Civil Procedure 248 to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

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

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

BY THE COURT,



JUDGE