

NOT
USED



06-1787-CD

Raymond Shaffer et al vs William Taylor et al

Raymond Shaffer et al vs William Taylor et
2006-1787-CD

Date: 11/5/2013
Time: 09:58 AM
Page 1 of 2

Clearfield County Court of Common Pleas
ROA Report
Case: 2006-01787-CD
Current Judge: Fredric Joseph Ammerman
Raymond E. Shaffer, et alvs. William D. Taylor, et al

User: LGHRIST

CIVIL ACTION

Date		Judge
10/31/2006	New Case Filed. Filing: Civil Complaint Paid by: Kirk, Alan F. (attorney for Shaffer, Raymond E.) Receipt number: 1916237 Dated: 10/31/2006 Amount: \$85.00 (Check) 4 CC Atty Kirk Case Filed.	No Judge No Judge Fredric Joseph Ammerman
12/11/2006	Filing: Reissue Complaint Paid by: Kirk, Alan F. (attorney for Shaffer, Raymond E.) Receipt number: 1916753 Dated: 12/11/2006 Amount: \$7.00 (Check) Filed by s/ Alan F. Kirk, Esquire. 1CC & 1 Complaint Reinstated to Atty.	No Judge
1/22/2007	Answer to Complaint, filed by s/ William D. Taylor and Carol A. Taylor-defts. 4CC defts.	No Judge
2/22/2007	Response To New Matter, filed by s/ Alan F. Kirk, Esquire. No CC	No Judge
3/12/2007	Sheriff Return, December 21, 2006 at 9:55 am Served the within Complaint on William D. Taylor and Carol A. Taylor. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by BCCZ \$33.73	No Judge
3/14/2007	Response To New Matter, filed by s/ William D. Taylor and Carol A. Taylor, Defendants. 2CC Defs.	No Judge
9/27/2007	Motion For Summary Judgment, filed by s/ Alan F. Kirk, Esquire. 2CC Atty. Kirk	No Judge
10/9/2007	Rule to Show Cause why Motion For Summary Judgment Should not be Granted. NOW, this 8th day of Oct., 2007, a Rule is issued upon the Defendants. Rule returnable on the 27th day of Nov., 2007, at 2:30 p.m. in Courtroom 1. By The court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Kirk	Fredric Joseph Ammerman
11/21/2007	Cross Motion for Summary Judgment, filed by Defendants. 2 Cert. to Defendants.	Fredric Joseph Ammerman
11/26/2007	Affidavit of Service filed. That a true and correct copy of the Rule to Show Cause Why Motion for Summary Judgment should not be granted in the above-captioned matter was served upon defendant by certified mail, filed by s/ Alan F. Kirk Esq. No CC.	Fredric Joseph Ammerman
11/27/2007	Praecipe For Entry of Appearance, filed on behalf of Defendants, enter appearance of William f. Donovan, Esquire. 4CC Atty. Donovan	Fredric Joseph Ammerman
11/29/2007	Order AND NOW, this 27th day of November 2007, following argument on the Plaintiffs' Motion for Summary Judgment and the Defendant's Cross Motion for Summary Judgment, it is the ORDER of this Court that both said Motions be and are hereby dismissed. BY THE COURT: /s/ Fredric J. Ammerman, President Judge. 2CC Atty Kirk and 2CC deft: @ 324 Peebles Road, Curwensville, PA 16836	Fredric Joseph Ammerman
3/18/2013	Order, this 18th of March, 2013, status conference is scheduled for the 8th of May, 2013 at 1:30 p.m. in Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Kirk 1CC Defendants	Fredric Joseph Ammerman
5/10/2013	Order, this 8th of May, 2013, this matter is scheduled for Pretrial Conference at 3:00 p.m. on July 10, 2013, Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Kirk; 1CC Defendants	Fredric Joseph Ammerman

Date: 11/5/2013
Time: 09:58 AM
Page 2 of 2

Clearfield County Court of Common Pleas
ROA Report
Case: 2006-01787-CD
Current Judge: Fredric Joseph Ammerman
Raymond E. Shaffer, et alvs. William D. Taylor, et al

User: LGHRIST

CIVIL ACTION

Date		Judge
7/10/2013	Entry of Appearance, on behalf of Defendants, William D. Taylor and Carol A. Taylor, enter appearance of Frederick M. Neiswender, Esq. 3CC Atty.	Fredric Joseph Ammerman
7/12/2013	Order, this 10th of July, 2013, non-jury trial is scheduled for November 13, 2013 at 1:30 p.m. in courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. CC to: Attys. Kirk, Neiswender	Fredric Joseph Ammerman

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

FILED
M 11:20 am
OCT 31 2006 4:00 AM
William A. Shaw
Kirk
4CCAKY
4CCAKY
Kirk

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD Prothonotary/Clerk of Courts

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

NOTICE TO DEFEND

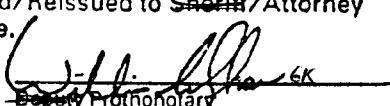
You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the 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 Courthouse
Court Administrator
Phone: 814.765.2641

Dec 11 2006 Document

Reinstated/Reissued to ~~Sheriff~~/Attorney
for service.


William A. Shaw
Prothonotary

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO.

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

COMPLAINT

NOW COMES, the Plaintiffs, by and through their attorneys, Babst, Calland, Clements and Zomnir, PC., and files the within Complaint where in the following is a statement:

1. The Plaintiffs are RAYMOND E. SHAFFER, RUDY W. SHAFFER, DONALD L. SHAFFER, AND EILEEN SHAFFER, ADMINISTRATOR, ESTATE OF FLOYD SHAFFER, all with the same mailing address in c/o RAYMOND E. SHAFFER, 3076 Ridge Road, Perkasie, Pennsylvania 18944 hereinafter the Plaintiffs.

2. The Defendants are WILLIAM D. TAYLOR AND CAROL A. TAYLOR, of 324 Peebles Road, Curwensville, Pennsylvania 16836, hereinafter the Defendants.

3. That by Deed dated September 13, 1989, and recorded at Clearfield County Volume 1305, Page 050, the Defendants became seized of property from Edna C. Michaels Estate by Wilda J. Gallaher, Executrix; Wilda J. Gallaher, individually, and her husband Donald H. Gallaher and Paul Michaels. The property was bounded and described as follows:

All that certain tract situate in the Township of Ferguson, County of Clearfield and State of Pennsylvania, bounded and described as follows:

FIRST THEREOF: Described as consisting of 50 acres which was owned and assessed in the name of Bur Dilmick which was returned for non-payment of taxes for the years 1933, 1934, 1935, 1936, 1937 by the Collector and was sold by Edna Marsden, treasurer of Clearfield County on the 25th day of January 1940, for non-payment thereof as shown by Treasurer's Deed dated July 8, 1940, recorded at Clearfield in Deed Book No. 335, page 15, and which the County Commissioners pursuant to proceedings had to No. 847 December Term, 1940, sold by Commissioners' Deed dated the 12th day of December, 1940, to William S. Michaels, the present grantor.

The said property is shown by the assessment record to have been part of a 100 acre tract assessed in Ferguson Township from the year 1867 to the year 1871 as 100 acres in the name of George E. Tubbs and transferred in the year 1872 upon the assessment record from him to Charles Lewis to whom it remained assessed until the year 1900 whereupon 50 acres of said 100 acres was transferred upon the assessment record to the name of Mrs. Susannah Lewis and remained assessed to her until the year 1925 when transferred to Bur Dilmick; being sold as his property by the County Treasurer in the year 1940 to Clearfield County as hereinbefore recited.

The above property being also described as follows:

BEGINNING at a white oak corner; thence by Robert Carson South fifty (50) degrees West one hundred thirty (130) perches to a hemlock; thence South forty (40) degrees East by residue of survey one hundred thirty (130) perches to a post; thence North fifty (50) degrees East, one hundred thirty (130) perches to a hemlock; and thence by Adam Reighart, North forty (40) degrees West, one hundred thirty (130) perches to place of beginning.

containing one hundred (100) acres, more or less.

EXCEPTING therefrom certain conveyance by Charles H. Lewis to Thomas Lewis, dated the 25th day of February 1898, and recorded in Clearfield County in Deed Book 100, page 49.

BEING the same premises which William S. Michaels and Edna C. Michaels, his wife, conveyed to William S. Michaels and Edna C. Michaels, husband and wife, as tenants by the entireties by Deed dated April 2, 1953 and recorded in Clearfield County in Deed Book 547 at Page 485.

ALL that certain piece, tract or parcel of land situate in Jordan, (formerly Ferguson) Township, Clearfield County, Pennsylvania, bounded and described as follows:

SECOND THEREOF: BEGINNING at a post corner of land heretofore purchased by Cyrus Thurston from Matthew Ogden; thence north fifty (50) degrees east one hundred and thirty (130) perches to a hemlock; thence south forty (40) degrees east one hundred and thirty (130) perches to a post; thence south fifty (50) degrees west one hundred and thirty (130) perches to a post; thence north forty (40) degrees west one hundred and thirty (130) perches to place of beginning. Containing one hundred and five (105) acres, more or less.

EXCEPTING AND RESERVING, all the coal, in, under and upon the same with the usual mining privileges as may be contained in the conveyances in the chain of title.

EXCEPTING AND RESERVING, also, out of the above described tract about four (4) acres heretofore sold and conveyed by Ellis Michaels.

BEING the same premises which William S. Michaels and Edna C. Michaels, his wife, conveyed to William S. Michaels and Edna C. Michaels, husband and wife, by Deed dated January 10, 1953 and recorded in Clearfield County in Deed Book 547 at Page 491.

FURTHER EXCEPTING AND RESERVING unto Wilda J. Gallaher and Paul Michaels all right, title and interest to receive any rentals or royalties from any existing oil and gas wells which may be located on the property herein conveyed for a period of 10 years from the date of the signing hereof. It is the intention of the Grantors that at the end of said 10 year period that this right to receive these rentals or royalties shall then pass to the Grantees. It is the further intention of the Grantors that, other than the above, any right, title or interest which they may have in the coal, oil, gas or other minerals shall pass to the Grantees as of the date of this conveyance.

The said William S. Michaels having died December 26, 1973, the property vested in Edna C. Michaels as the surviving tenant by the entireties. Edna C. Michaels died testate on February 5, 1989 and under provisions of her Will found in Will Book 62 at Page 515. Said property passed to her children Wilda Jean Gallaher and Paul W. Michaels.

4. That by Deed dated April 13, 1849, Matthew Ogden granted and conveyed the subject tract to Cyrus Thurston by Deed recorded at Clearfield County Deed Book L, Page 111.

5. That the said Cyrus Thurston and wife thereafter conveyed the subject parcel by Deed dated June 19, 1860 to Nelson Hatch. Said Deed being recorded at Clearfield County Deed Book T, Page 73.

6. That the said Nelson Hatch and wife granted and conveyed the subject tract by Deed dated May 10, 1866 to George E. Tubbs at Clearfield County Deed Book Y, Page 113.

7. That George E. Tubbs and wife granted and conveyed the subject premises to Charles H. Lewis by Deed dated March 25, 1871, and recorded at Clearfield County Deed Book GG, Page 400.

8. The said Charles H. Lewis having died, his heirs Susannah Lewis and Mary Elizabeth Lewis were granted and conveyed title of the subject property by his Will probated on or about February 28, 1898, at Clearfield County Record Book E, Page 466. That upon the death of Susannah Lewis the property passed to her daughter, Mary Elizabeth Lewis who in turn married Bur Dimmick on or about January 8, 1913 according to the application for Marriage License No. 18636 dated January 9, 1913. That the parties held the property until such time as it was sold for unpaid taxes on or about January 25, 1940, by the County Commissioners of Clearfield County by Treasurer's Deed, recorded at Clearfield County Deed Book 335, Pages 15 & 16, as purchased by William S. Michaels.

9. That the said property was sold by the Sheriff of Clearfield County on behalf of Mary Elizabeth Dimmick, alias Mary Elizabeth Lewis. The said Charles E. Lewis having died testate on or about the 21st day of November 1898, which vested title in her. Said property was

sold to William S. Michaels by Deed dated August 5, 1940 and recorded at Clearfield County Deed Book 329, Page 9.

10. That the said William S. Michaels and Edna C. Michaels by Deed dated April 2, 1953, granted and conveyed the subject property to William S. Michaels and Edna C. Michaels by Deed recorded at Clearfield County Deed Book 547, Page 485.

11. The said Edna C. Michaels died on February 5, 1989 and her estate and heirs joined in transferring the subject property to the Plaintiffs herein as described in Paragraph 3.

The Second Thereof:

12. That by Deed dated May 7, 1878, Josiah Henry and wife granted and conveyed the property which is the second thereof to the said David Michaels. Said Deed is recorded at Clearfield County Deed Book 18, Page 274.

13. Thereafter the said David Michaels granted and conveyed the subject property to Ellis Michaels by Deed dated the 5th day of March, 1885, recorded at Clearfield County Deed Book 37, Page 101.

14. Thereafter Ellis Michaels conveyed the subject tract to Seymour Michaels by Deed dated May 18, 1916. Said Deed recorded at Clearfield County Deed Book 114, Page 350.

15. That the said Seymour Michaels by Deed dated December 1, 1938, granted and conveyed the subject tract to William S. Michaels. Said Deed recorded at Clearfield County Deed Book 324, Page 280.

16. That William S. Michaels and his wife, Edna C. Michaels granted and conveyed the subject tract to William S. Michaels and Edna C. Michaels by Deed dated January 10, 1953, recorded at Clearfield County Deed Book 547, Page 491.

17. That the said William S. Michaels died December 26, 1973, and the said Edna C. Michaels died February 5 1989, and thereafter the estate of Edna C. Michaels by and through her heirs, executors, and assigns, transferred the subject parcel to the Plaintiffs herein as described in Paragraph 3.

18. That at all times herein, the Plaintiffs have been the owners in fee simple of the property described as Map Nos. 113G-13-6, 120-G14-5 located in Jordan Township and Ferguson Township, Clearfield County, Pennsylvania as more fully described in Paragraph 3.

19. That the Defendants William D. Taylor and Carol A. Taylor claim an interest in said property which is adverse to the Plaintiffs; Defendants claim is without any right whatsoever, and Defendants have no right, estate, title, lien or interest or to the property, or any part thereof.

20. That the said claim or claims constitute a cloud on Plaintiffs' title to said property.

WHEREFORE, the Plaintiffs respectfully pray this Honorable Court as follows:

1. That the Defendants, and each of them, and any and all persons claiming by, under or through them, be required to set forth the nature of their claims to the said property in question;

2. That any and all adverse claims to the said property be determined by decree of this Court;

3. That the said decree declare and adjudge that the Plaintiffs own in fee simple, and are entitled to quiet and peaceful possession of, the said property; and that Defendants, and each of them, and all persons claiming under them, have no estate, right, title, lien, or interest in or to the said property or any part thereof;

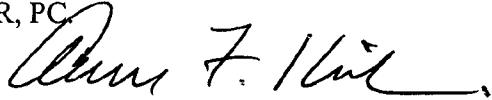
4. That the said decree permanently enjoin the Defendants, each of them, and all persons claiming under, by, or through them, from asserting any adverse claim to Plaintiffs title to said property;

5. For costs of said action; and

6. For such other and further relief as this Court seems appropriate.

Respectfully submitted,

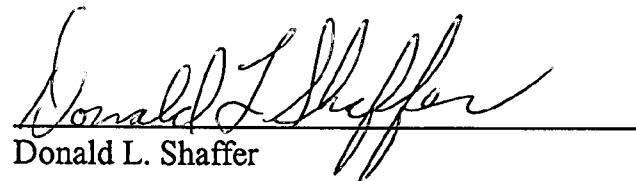
BABST, CALLAND, CLEMENTS AND
ZOMNIR, PC.



Alan F. Kirk, Esquire
Counsel for Plaintiffs
ID#36893

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. §4904 relating to unsworn falsification to authorities.


Donald L. Shaffer

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 P.A. C.S.A. §4904 relating to unsworn falsification to authorities.

Raymond E. Shaffer
Raymond E. Shaffer
9-19-06

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. §4904 relating to unsworn falsification to authorities.

*Eileen R. Shaffer Administrator of the
Eileen Shaffer, Administrator of the Estate of ~~E~~ State of
Floyd Shaffer*
Floyd Shaffer

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. §4904 relating to unsworn falsification to authorities.

Rudy W. Shaffer
Rudy W. Shaffer



BABST | CALLAND | CLEMENTS | ZOMNIR
A PROFESSIONAL CORPORATION

ALAN F. KIRK
Attorney at Law
T 814.867.8055
F 814.867.8051
akirk@bccz.com

Clearfield County Courthouse
Office of Prothonotary
230 E. Market Street
Clearfield, PA 16830

Re: Raymond E. Shaffer, Rudy W. Shaffer, Donald L. Shaffer and Eileen Shaffer, Administrator, Estate of Floyd Shaffer v. William D. Taylor and Carol A. Taylor, their heirs, successors, and assigns, and all persons claiming by, under and through them

Dear Prothonotary:

Enclosed please find the Complaint for filing, our check in the amount of \$85.00, and four copies to be time-stamped and returned to me in the enclosed, self-addressed, stamped envelope.

If you have any questions, please contact me.

Sincerely,

BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.

A handwritten signature in black ink that reads "Alan F. Kirk".

Alan F. Kirk

AFK/mms
Enclosures

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

PRAECIPE

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Kindly reissue and reinstate the Complaint in the above-captioned matter due to
the inability of Plaintiff's counsel to serve Defendants' original counsel within 30 days of
the filing of the Complaint.

BABST, CALLAND, CLEMENTS AND
ZOMNIR, PC.



Alan F. Kirk, Esquire
Counsel for Plaintiffs
ID#36893

FILED Atty pd. 7.00
13:03 PM
DEC 11 2006 ICC# 1'Compl.
Reinstated to

William A. Shaw
Prothonotary/Clerk of Courts

Atty
GW

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD SHAFFER, AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD SHAFFER
(Plaintiff)

3076 RIDGE ROAD
(Street Address)

PERKASIE, PA 18944
(City, State Zip)

VS.

WILLIAM D. TAYLOR AND CAROL A. TAYLOR
(Defendant)

324 PEOPLES ROAD
(Street Address)

CURWENSVILLE, PA 16833
(City, State Zip)

CIVIL ACTION
NO. 2006-1787-CD
TYPE OF CASE: LAND
TYPE OF PLEADING
Answer to Complaint
FILED ON BEHALF OF:
DEFENDANT

WILLIAM D. TAYLOR
AND CAROL A. TAYLOR
324 PEOPLES ROAD
CURWENSVILLE, PA 16833
(814) 236-3829
(Filed by)

William D Taylor
Carol A Taylor
(Signature)

FILED *4cc def/s*
01/22/07
JAN 22 2007 *W*

William A. Shaw
Prothonotary/Clerk of Courts

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD SHAFFER,

NO.
2006-1787-CD
FILED ON BEHALF
OF: DEFENDANTS

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS, AND ASSIGNS, AND
ALL PERSONS CLAIMING BY, UNDER AND THROUGH
THEM,

DEFENDANTS

ANSWER TO COMPLAINT

- 1 TRUE TO THE BEST OF OUR KNOWLEDGE
- 2 TRUE
- 3 DENIED. THIS DEED DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION.
- 4 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION
- 5 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION
- 6 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION
- 7 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION
- 8 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION
- 9 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

10 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

11 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

12 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

13 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

14 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

15 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

16 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

17 DENIED. THIS LINE OF OWNERSHIP DOES NOT INCLUDE THE PARCEL OF LAND IN QUESTION

18 DISAGREE. Map 120-G 14-57 742/489 3.898 ACRES RECORDED AS LAND OF WILLIAM D. TAYLOR AND CAROL A. TAYLOR.

19 DISAGREE. WILLIAM D. TAYLOR AND CAROL A. TAYLOR ARE SIMPLY INTERESTED IN THE 3.898 ACRES MAP 120-G 1-57 72/89.

20 NO ANSWER REQUIRED

NEW MATTER

21 OUR TITLE STARTS WITH THE DEED FROM ELLIS MICHAELS AND HIS WIFE TO MRS. E. WOODS DATED JUNE 1885 RECORDED IN RECORD BOOK 36. PAGE 12. WHICH CONVEYS 5 ACRES IN JORDAN TOWNSHIP.

22. THE NEXT DEED IS FROM ERNEST WOODS TO JOHN JACKMAN DATED MARCH 6 RECORDED IN VOLUME 57 PAGE 36 CONVEYING AGAIN THE APPROXIMATE 5 ACRES.

23. THE NEXT DEED IS FROM JOHN JACKMAN AND MARY E JACKMAN TO CHARLES H LEWIS DATED AUGUST 19 1890 RECORDED IN VOLUME 59 PAGES 154.

24. THE SAME PROPERTY WAS THEN CONVEYED FROM CHARLES H LEWIS TO ELIZA SLOPPY WHO WAS MARRIED TO PETER SLOPPY, THIS DEED BEING DATED DECEMBER 18 1893, RECORDED IN VOLUME 100 PAGE 144

25. THIS SAME PROPERTY WAS CONVEYED TO ARILLA SLOPPY TO MARY MARGARET TAYLOR, BY DEED DATED JULY 27, 1963, RECORDED IN VOLUME 503, PAGE 207

26. THE PROPERTY WAS THEN PUT INTO THE NAME OF WILLIAM D TAYLOR AND CAROL A TAYLOR BY DEED FROM MARY MARGARET TAYLOR DATED JULY 27, 1977, RECORDED IN VOLUME 742, PAGE 489,

27. WE THEN HAD THE PROPERTY SURVEYED AND THERE IS A DEED FROM WILLIAM D, TAYLOR AND CAROL A TAYLOR TO THEMSELVES DATED MARCH 14 2005 RECORDED AS INSTRUMENT NUMBER 200503656

28. THE DISPUTE GOES BACK TO THE DEED FROM ARILLA SLOPPY

29. I HAVE TO EXPLAIN TO YOU THAT AFTER CONSIDERABLE WORK, WE FOUND THAT ELIZA SLOPPY WAS MARRIED TO PETER SLOPPY AND THE PROPERTY WAS ACTUALLY OWNED BY ELIZA SLOPPY.

30. WHEN BOTH PETER SLOPPY AND ELIZA SLOPPY DIED THEY LEFT NINE CHILDREN SURVIVING THEM, WHO ARE ELI SLOPPY, CYRUS SLOPPY, RALSTON SLOPPY, WILLIAM G SLOPPY, A/K/A GEORGE W. SLOPPY THOMPSON SLOPPY, ARILLA SLOPPY, MARGARET SLOPPY RIDER MARY SLOPPY ST. CLAIR A/K/A, MARY SINCLAIR, AND LUCINDA SLOPPY BAXTER

31. THE PROPERTY CONTINUED TO BE ASSESSED AS 5 ACRES IN THE NAME OF PETER SLOPPY ESTATE, ALTHOUGH THE DEED WAS ACTUALLY TO HIS WIFE ELIZA SLOPPY.

32. THE CLEARFIELD COUNTY TREASURER TO RALSTON SLOPPY THEN SOLD THE 5 ACRES IN 1936 AS SHOWN IN THE TREASURER'S LAND DOCKET; THIS AGAIN GOES BACK TO THE PROPERTY THAT WAS CONVEYED TO ELIZA SLOPPY IN 1898.

34. THE LAND WAS SOLD TO RALSTON SLOPPY AT COMMISSIONER'S SALE ON JAN 23 1942. ONCE AGAIN, THIS IS THE SAME 5 ACRES THAT WERE ASSESSED IN THE NAME OF PETER SLOPPY ESTATE. WHEN RALSTON DIED IN 1953 HE WAS UNMARRIED WITH NO CHILDREN. IT APPEARS THAT HE MAY HAVE ONLY ONE HEIR SURVIVING HIM, WHICH WAS HIS SISTER, ARILLA SLOPPY, WHICH MEANS THE LAND WOULD HAVE PASSED TO HIS SISTER.

35. ARILLA SLOPPY, WHO NEVER MARRIED, THEN CONVEYED THE PROPERTY TO HER NIECE, MARY MARGARET TAYLOR.

36. THEN MARY MARGARET TAYLOR THEN CONVEYED THE PROPERTY TO HER SON, WILLIAM TAYLOR. ARILLA SLOPPY IS THE LAST SURVIVING CHILD OF PETER AND ELIZABETH (LEWIS) SLOPPY.

37. FURTHER, WHEN YOU LOOK AT THE MAP, THE MCCRACKEN'S PROPERTY IS 100 ACRES IN JORDAN TOWNSHIP, WHICH IS LOCATED CONSIDERABLY FAR FROM THE PROPERTY OWNED BY TAYLOR.

38. I AGREE THAT RALSTON CONVEYED THE LARGE TRACT OF LAND TO MCCRACKEN. HOWEVER, THIS IS SEPARATE FROM THE 5 ACRES. AT THIS TIME WE CLEARLY HAVE TITLE TO WHAT OUR SURVEY SHOWS AS BEING 3.89 ACRES.

39. WE CAN ESTABLISH ALL OF THIS BY RECORDS RECITED ABOVE.

40. THE APPROXIMATE 5 ACRES WERE ALWAYS OWNED BY, OR AT LEAST SINCE THE TURN OF THE CENTURY, BY THE SLOPPY FAMILY EVEN THOUGH THE TAX SALES.

RESPECTFULLY SUBMITTED,

William D Taylor
Carol A Taylor
WILLIAM D. TAYLOR AND
CAROL A TAYLOR,
DEFENDANTS

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

FILED NO
CC
M 11/06
FEB 22 2007 (6A)

William A. Shaw
Prothonotary/Clerk of Courts

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Type of Pleading: Response To New
Matter

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

RESPONSE TO NEW MATTER

NOW COMES, the Plaintiffs by and through their attorneys, Babst, Calland, Clements and Zomnir, PC., and files the within Response To New Matter whereof the following is a statement:

21. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this

Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein.

22. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein.

23. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein.

24. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein. The Plaintiffs are without sufficient knowledge or information to form a belief as to the truth of the averment regarding the marital status of Peter Sloppy and strict proof thereof is demanded at time of trial.

25. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein. In all other respects, the documents speak for themselves

26. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein.

27. Denied as stated. The Plaintiff incorporates by reference averments in the Complaint as if set forth at length. The property which Defendants' claim to own is shown as being located in Ferguson Township not Jordan Township. For the reasons set forth in this Response To New Matter and in the averments contained in the Complaint of Plaintiff, the Plaintiff believes and therefore avers that the Defendants have no claim to the property interest recited herein.

28. No response is necessary since this averment is merely a legal conclusion. To the extent that a response is necessary, the averment is denied.

29. The Plaintiff is without sufficient knowledge or information to form a belief as to the truth of the averment contained in this paragraph. Strict proof is demanded at time of trial.

30. The Plaintiff is without sufficient knowledge or information to form a belief as to the truth of the averment contained in this paragraph. Strict proof is demanded at time of trial.

31. The Plaintiff is without sufficient knowledge or information to form a belief as to the truth of the averment contained in this paragraph. Strict proof is demanded at time of trial.

32. Denied. There is no Deed of record in Clearfield County transfers the property from the Clearfield County Treasurer to Ralston Sloppy.

33. There is no paragraph 33.

34. Denied. There is no Deed of record in Clearfield County from the Commissioners of Clearfield County to Ralston Sloppy. The remaining averments in the paragraph are conclusions of law to which no response is necessary. To the extent that a response is necessary, the averments are denied. By way of further answer, the Estate of Ralston Sloppy filed an Inheritance Tax Return in 1959 which indicated that the said Ralston Sloppy owned no real estate at the time of his death (R. L. Sloppy Estate-File No. 6629-99).

35. The Plaintiffs are without sufficient knowledge or information to admit or deny the averments contained in this paragraph and strict proof is demanded at time of trial. Therefore, it is denied that the said Mary Margaret Taylor was conveyed anything whatsoever.

36. The Plaintiffs are without sufficient knowledge or information to admit or deny the averments contained in this paragraph and strict proof is demanded at time of trial. Therefore, it is denied that the said Mary Margaret Taylor was conveyed anything whatsoever.

37. Denied. It is believed that the McCracken property ownership interest is located in Ferguson Township, immediately adjacent and adjoining to the property of the Plaintiffs.

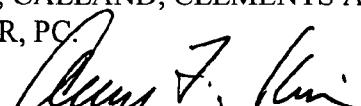
38. This paragraph contains legal conclusions to which no response is necessary. To the extent that a response is necessary, the averments are denied for the reasons set forth in the

Response To New Matter and the averments in the Complaint of Plaintiff incorporated herein by reference.

39. This paragraph contains legal conclusions to which no response is necessary. To the extent that a response is necessary, the averments are denied for the reasons set forth in the Response To New Matter and the averments in the Complaint of Plaintiff incorporated herein by reference.

40. This paragraph contains legal conclusions to which no response is necessary. To the extent that a response is necessary, the averments are denied for the reasons set forth in the Response To New Matter and the averments in the Complaint of Plaintiff incorporated herein by reference.

WHEREFORE, the Plaintiff respectfully requests this Honorable Court to dismiss the New Matter of the Defendants and enter judgment in favor of the Plaintiffs and grant any other relief deemed appropriate.

Respectfully submitted,
BABST, CALLAND, CLEMENTS AND
ZOMNIR, PC.
by 
Alan F. Kirk, Esquire
Attorney for the Plaintiff

VERIFICATION

I verify that the statements made in the foregoing Response To New Matter are true and correct based upon information received from the Plaintiffs. The Plaintiffs, RAYMOND E. SHAFFER, RUDY W. SHAFFER, DONALD SHAFFER, AND EILEEN SHAFFER, ADMINISTRATOR, ESTATE OF FLOYD SHAFFER, were not available and the verification of the Plaintiffs cannot be obtained within the time allowed for filing the pleading. I understand that false statements herein are made subject to the penalties of 18 PA. C. S. A. §4904 relating to unsworn falsification to authorities.

BABST, CALLAND, CLEMENTS AND
ZOMNIR, PC.



Alan F. Kirk, Esquire

Attorney for the Plaintiff

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

V.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response To New Matter was served by U.S. Mail, First Class, this 81st day of February, 2007, upon the following:

*William D. Taylor
324 Peoples Road
Curwensville, PA 16833*

*Carol A. Taylor
324 Peoples Road
Curwensville, PA 16833*


Michele M. Steudler
328 Innovation Boulevard, Suite 200
State College, PA 16803
(814) 867.8055/(814) 867.8051/Fax

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102232
NO: 06-1787-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: RAYMOND E. SHAFFER, RUDY W. SHAFFER, DONALD L. SHAFFER al
vs.

DEFENDANT: WILLIAM D. TAYLOR AND CAROL A. TAYLOR, Their Heirs, et al

SHERIFF RETURN

NOW, December 21, 2006 AT 9:55 AM SERVED THE WITHIN COMPLAINT ON WILLIAM D. TAYLOR and CAROL A. TAYLOR DEFENDANT AT 324 PEOPLES ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO WILLIAM D. TAYLOR, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	BCCZ	1651	10.00
SHERIFF HAWKINS	BCCZ	1651	23.73

FILED
03/15/07
MAR 12 2007
(LSN)

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by *Marilyn Harris*
Chester A. Hawkins
Sheriff

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

PLAINTIFFS

RESPONSE TO NEW MATTER

v.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

FILED BY:

WILLIAM D. TAYLOR and
CAROL A. TAYLOR
324 Peoples Road
Curwensville, PA 16833
(814) 236-3829

William D Taylor
(Signature)
Carol A Taylor
(Signature)

FILED
01/17/07
MAR 14 2007

William A. Shaw (61)
Prothonotary/Clerk of Courts

2cc Defs.

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

PLAINTIFFS

RESPONSE TO NEW MATTER

v.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

RESPONSE TO NEW MATTER

NOW COMES the Defendants, William D. Taylor and Carol A. Taylor and files the
within Response to New Matter :

21. Denied. The property which Plaintiffs claim to own is shown as being located in Jordan Township, not Ferguson Township. The annual county, township and school taxes have been paid to date to the Jordan Township Tax Collector. This property is assessed in Jordan Township under Map No. 1200G1400000057 and Control No. 120027882.
22. Denied. The property is assessed in Jordan Township.
23. Denied. The property is assessed in Jordan Township.
24. Denied. Plaintiffs have no claim to the property interest recited herein.
25. Denied. Plaintiffs have no claim to the property interest recited herein.
26. Denied. Plaintiffs have no claim to the property interest recited herein.
27. Denied. Plaintiffs have no claim to the property interest recited herein.

28. Denied. This dispute has been traced back to the Deed of Ellis Michaels. Ellis Michaels reserved the approximate 4 acre parcel, as noted on the entire Shaffer chain of title, that is now owned by Defendants. This 4 acre parcel was conveyed from Ellis Michaels to Mrs. E. Woods on June 1, 1885 and recorded in the Recorder of Deeds of Clearfield County in deed book 36, page 12.
29. Denied. Plaintiffs have no claim to the property interest recited herein.
30. Denied. Plaintiffs have no claim to the property interest recited herein.
31. Denied. Plaintiffs have no claim to the property interest recited herein.
32. Affirmed and Denied. The record appears in the Treasurer's Docket 1930-1931, Part 4, dated January 10, 1936, affirming that the Clearfield County Treasurer did not take the property from Ralston Sloppy. The taxes for the land were paid in full from 1931 to 1934 and the land was retained by Ralston Sloppy.
34. Affirmed and Denied. In the Clearfield County Commissioners Docket, No. 5, page 215 and 248 on January 23, 1942, Ralston Sloppy once again retained the land. This property was assessed in the Peter Sloppy Estate.
35. Denied. Plaintiffs have no claim to the property interest recited herein.
36. Denied. Plaintiffs have no claim to the property interest recited herein.
37. Denied. The property is located on the Jordan Township line bordering the 100 acres owned by Plaintiffs.
38. This property has been reserved throughout the chain of title beginning with the deed from Ellis Michaels to Seymour Michaels recorded at the Recorder of Deeds of Clearfield County in deed book 224, page 350.
39. Denied. Plaintiffs have no claim to the property interest recited herein.
40. Denied. Plaintiffs have no claim to the property interest recited herein.

WHEREFORE, the Defendants respectfully request this Honorable Court to dismiss the Complaint of Plaintiffs and enter judgment in favor of Defendants and grant any other relief appropriate.

Respectfully submitted,

William D. Taylor
WILLIAM D. TAYLOR, Defendant

Carol A. Taylor
CAROL A. TAYLOR, Defendant

VERIFICATION

I hereby verify that the statements made in the foregoing Response are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

William D Taylor
WILLIAM D. TAYLOR

Carol A Taylor
CAROL A. TAYLOR

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

PLAINTIFFS

RESPONSE TO NEW MATTER

v.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

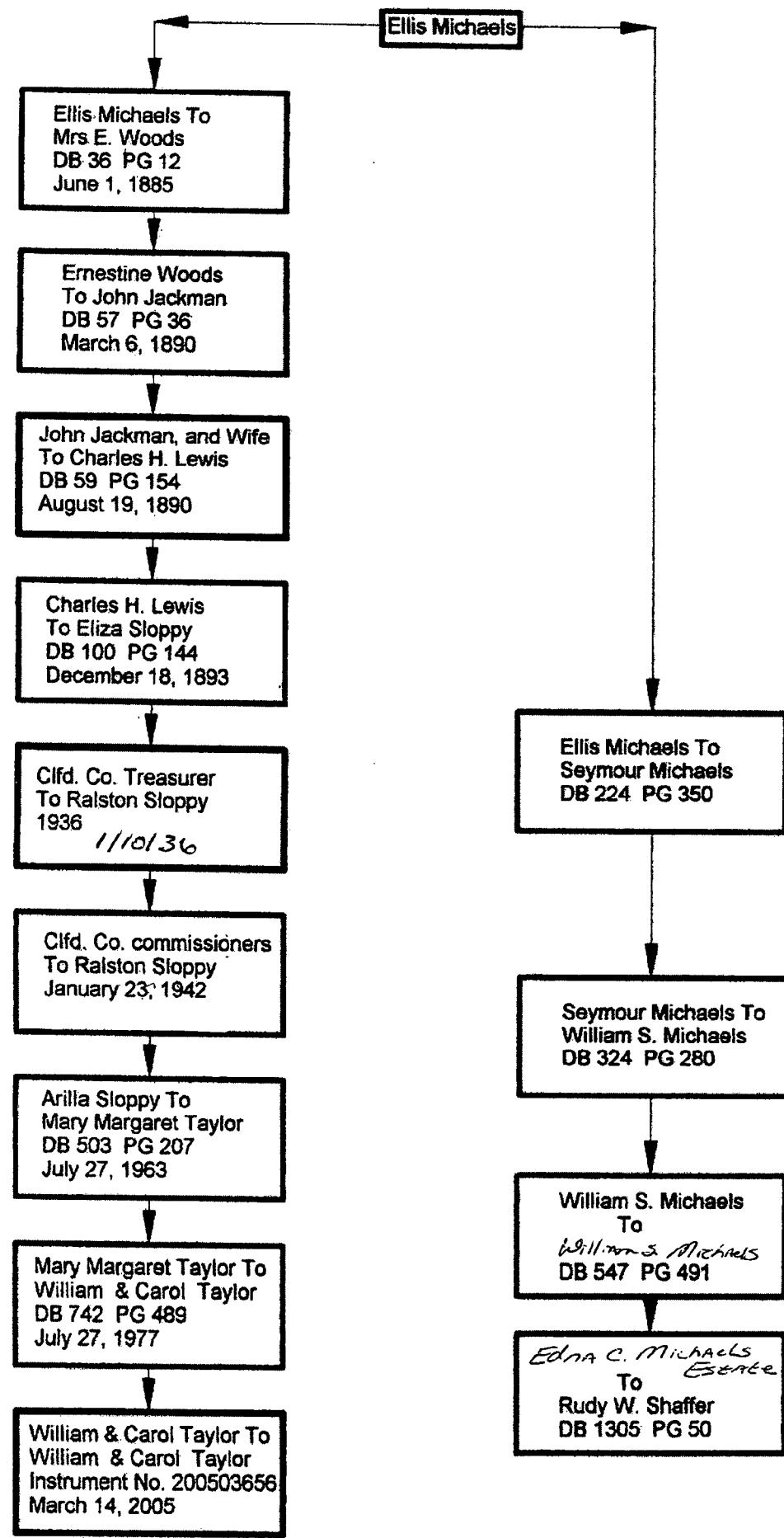
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to New Matter was served by U.S. Mail, First Class, this 12th day of March, 2007 upon the following:

Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803

William D. Taylor
WILLIAM D. TAYLOR

Carol A. Taylor
CAROL A. TAYLOR



Description of Taxable: 3.898 A	
Map #	G14-000-00057
Payable To: SANDEE L. SMEAL, TAX COLLECTOR	
263 SAWMILL ROAD	
IRVONA PA 16656	
PHONE 814-672-3187	
MON 12-3 PM THURS 5-9 PM DISCOUNT ONLY	
HOME VISITS & ALL OTHERS BY	
APPOINTMENT ONLY	
Taxes Are Due and Payable and Payment is Requested From:	
TAYLOR, WILLIAM D. & CAROL A.	
324 PEOPLES RD	
CURWENSVILLE PA 16833	

Real Estate Tax	Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
	Land	County	21.00	8.23	8.40	9.24
	400	TOWNSHIP	2.30	0.90	0.92	1.01
	Bldg.		0.00			
	0		0.00			
	Total					
	400		Total	9.13	9.32	10.25

Payment Schedule

Received By	5/1/2007 @ 2.00 % Discount Pay -->	9.13
Between	5/2/2007 AND 7/2/2007 Pay	9.32
Beginning	7/3/2007 @ 10.00 % Penalty Pay -->	10.25
Last Day To Pay Tax Collector	1/7/2008	
Unpaid Taxes Returned To Tax Claim By	1/15/2008	At 8:30 AM

Tax Collectors

Copy

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.

Bill# 732 Mail Date: 3/1/2007 County of Clearfield, Pennsylvania / JORDAN TOWNSHIP Control # 1200 27882

Description of Taxable: 3.898 A	
Map #	G14-000-00057
Payable To: SANDEE L. SMEAL, TAX COLLECTOR	
263 SAWMILL ROAD	
IRVONA PA 16656	
PHONE 814-672-3187	
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CURWENSVILLE PA 16833	

Real Estate Tax	Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
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	Bldg.		0.00			
	0		0.00			
	Total					
	400		Total	9.13	9.32	10.25

Payment Schedule

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Between	5/2/2007 AND 7/2/2007 Pay	9.32
Beginning	7/3/2007 @ 10.00 % Penalty Pay -->	10.25
Last Day To Pay Tax Collector	1/7/2008	
Unpaid Taxes Returned To Tax Claim By	1/15/2008	At 8:30 AM

Tax Payers

Receipt

Signature of Tax Collector

Date Paid

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.

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

UA
FILED *2cc*
M 12:47 PM SEP 27 2007 Atty Kirk
SEP 27 2007
William A. Shaw
Prothonotary/Clerk of Courts
GW

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

Type of Pleading: MOTION FOR
SUMMARY JUDGMENT

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

MOTION FOR SUMMARY JUDGMENT

AND NOW COMES the Plaintiffs, RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER, ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER, by and through their attorneys, Babst, Calland, Clements and Zomnir, PC., and files
this Motion for Summary Judgment where the following is a statement:

1. **FACTS**

The Plaintiffs filed a Civil Complaint in Quiet Title seeking to inter alia, enjoin the
Defendants for making any claim to the real estate shown on Paragraph 3 of the Complaint of
Plaintiffs and to determine that Plaintiffs are the fee simple owners thereof. The Plaintiffs

became seized of the real estate in question by Deed dated September 13, 1989, recorded in Clearfield County Deed Book 1305, Page 050.

That the Defendants responded by filing an Answer to the said Complaint merely denying the allegations of the Plaintiffs' Complaint. The Defendants also filed a "New Matter" alleging an ownership interest in a tract of land adverse to the ownership interest of the Plaintiffs.

The chain of title averred by the Defendants is inaccurate, incomplete and contains gaps in title and does not pass legal title to any real estate to the Defendants. The Defendants are without a valid claim to the real estate described in Plaintiffs' Complaint and therefore no genuine issue of material fact is in dispute and the Plaintiffs should be entitled to summary judgment against the Defendants.

2. ARGUMENT.

Plaintiffs have established title to the premises described in Paragraph 3 of the Complaint. The Defendants have attempted to establish a chain of title to a piece or parcel of land variously described as "5" acres or "3.89" acres depending on which Deed is recited by the Defendants. Defendants allege the origin of their title beginning with the Deed from Ellis Michaels et al. to Mrs. E. Woods, dated "June 1885" at Book 36, Page 12 which conveys five acres in Jordan Township, Clearfield County, Pennsylvania. This five acres is ultimately conveyed to Eliza Sloppy from Charles H. Lewis on December 18, 1893 at Clearfield County Deed Book 100, Page 144.

For an unexplained reasons there is no further progress in the chain of title except Defendants next claim that "this same property was conveyed to Arilla Sloppy to Mary Margaret

Taylor by Deed dated July 27, 1963, recorded in Volume 503, Page 207". No Deed exists of record showing a transfer or conveyance into the said Arilla Sloppy in the Clearfield County real estate record books.

Without any documentation, the Defendants claim that Eliza Sloppy was married to a Peter Sloppy (Paragraph 29 of New Matter) however Defendants maintain the "property was actually owned by Eliza Sloppy". Without any supporting documentation, Defendants claim that both Peter Sloppy and Eliza Sloppy are deceased and left to survive them nine children (Paragraph 30 of New Matter).

Without any supporting documentation of any kind, Paragraph 32 of the New Matter attempts to recite the proposition that the Treasurer of Clearfield County sold to "Ralston Sloppy" a five acre tract in 1936. There is no Deed recited to evidence this conveyance. The Plaintiff through Plaintiffs' counsel has found such Deed in Clearfield County. Nevertheless without additional documentation, Defendants claim that "Ralston Sloppy" again purchased a five acre tract at a Clearfield County Commissioner's Sale on January 23, 1942, which is supposedly the real estate in question (Paragraph 33 of the New Matter). There is no Deed recited to evidence this conveyance which can be found in Clearfield County or by Plaintiff's counsel.

The Defendants recite that Ralston Sloppy died in 1953, that he was not married, and that he died without children by had a surviving sister Arilla Sloppy (Paragraph 34 of the New Matter). The Defendants apparently believe, but never recite, that this "Arilla Sloppy" is a child of Peter and Eliza Sloppy. Whether any other children of Peter and Eliza Sloppy are alive or deceased at this time is unknown.

The Defendants contain a legal conclusion in Paragraph 35 of the New Matter in which Peter Sloppy's interest in the five acres passed to his sister, Arilla Sloppy, and thereafter by a series of conveyances to the Defendants herein.

Ralston Sloppy had no interest in any real estate to pass to anyone at the time of his death. The estate of Ralston Sloppy is a public record in Clearfield County (Estate File No. 1629-99). A true and correct copy of the Tax Return of the Estate of Ralston Sloppy is attached and marked as "Exhibit B". The Estate Return filed shows that at the time of Ralston Sloppy's death he owned no real estate. The Return also shows that prior to his death all real estate had been sold and that there had been an outstanding balance due the estate for real estate sold to " Louis McCracken and Ruth McCracken" for which he was due a balance of \$1,500.00.

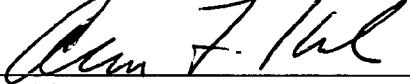
Ralston Sloppy had no real estate interest to bequeath to Arilla Sloppy or to anyone else since he owned no real estate at the time of his death. Further, there is no Deed of conveyance into Arilla Sloppy. The real estate interest allegedly passed from Arilla Sloppy to Mary Margaret Taylor and thereafter to the Defendants is a nullity and of no legal consequence because no right, title, or interest was conveyed to them. The Deed of the Defendants from themselves to themselves containing a survey which is recorded at Clearfield County Deed Book 742, Page 489, is therefore self-serving and of no relevancy. The Defendants are seized of no real estate interest whatsoever, no genuine issue of material fact therefore exists, and summary judgment should be granted to the Plaintiff. The Plaintiffs should be declared the fee simple owner of the real estate as described in Paragraph 3 of the Complaint must be enjoined from asserting any right, title and interest to the property described at Clearfield County Deed Book 742, Page 489, which is adverse in any way to the Plaintiffs.

WHEREFORE, the Plaintiffs, RAYMOND E. SHAFFER, RUDY W. SHAFFER, DONALD L. SHAFFER AND EILEEN SHAFFER, ADMINISTRATOR, ESTATE OF FLOYD SHAFFER respectfully request this Honorable Court that Summary Judgment be entered in favor of them and against the Defendants, WILLIAM D. TAYLOR AND CAROL TAYLOR, THEIR HEIRS, SUCCESSORS, AND ASSIGNS, AND ALL PERSONS CLAIMING BY, UNDER AND THROUGH THEM.

Dated: 9-84-07

Respectfully submitted,

BABST, CALLAND, CLEMENTS AND ZOMNIR, PC.



Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

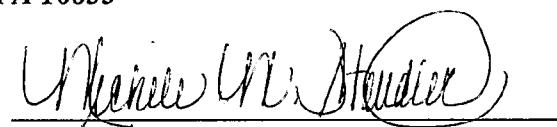
Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Summary
Judgment was served by First Class U.S. Mail on this 24th day of September, 2007, upon
the following:

*William D. Taylor
324 Peoples Road
Curwensville, PA 16833*

*Carol A. Taylor
324 Peoples Road
Curwensville, PA 16833*



Michele M. Steudler, Paralegal to
Alan F. Kirk, Esquire

COMMONWEALTH OF PENNSYLVANIA
RESIDENT INHERITANCE TAX
APPRaisalMENT

DATE August 14, 1953
COUNTY Clearfield
FILE NO. 1629-99

Whereas, R.L.Sloopy, late of Aerthmoor
in the County of Clearfield, Commonwealth of Pennsylvania, having died on
the 13th day of March 1953, seized and possessed of an estate
subject to Inheritance Tax under the laws of the Commonwealth of Pennsylvania;

subject to Inheritance Tax under the laws of the Commonwealth of Massachusetts.
Therefore, I, Carl E. Heil, an appraiser duly appointed according to law,
having been designated to make a fair and conscientious appraisement of the said estate, and to assess and fix
the cash value of all annuities and life estates growing out of said estate, hereby file the following appraisement:

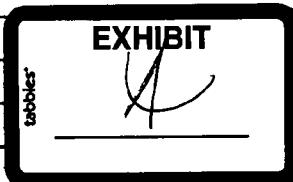
In the event that any future interest in this estate is transferred in possession or enjoyment to collateral heirs of the decedent after the expiration of any estate for life or for years, the Commonwealth hereby expressly reserves the right to appraise and assess transfer inheritance taxes at the lawful collateral rate on any such future interest.

In the event that any future interest in this estate is created during the lifetime of the testator or within the expiration of any estate for life or for years, the Commonwealth hereby expressly reserves the right to appraise and assess any inheritance taxes at the lawful collateral rate on any such future interest.

Recapitulation

Realty: \$ None

Personality: \$1575.00



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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

v.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,

DEFENDANTS

Counsel of Record For This
Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

RULE TO SHOW CAUSE WHY MOTION FOR SUMMARY
JUDGMENT SHOULD NOT BE GRANTED

AND NOW THIS 8 day of October, 2007, a Rule is issued upon the
Defendants to show cause why the Motion for Summary Judgment should not be granted in the
above captioned case.

This Rule is returnable on the 27th day of November, 2007, at 2:30 P.m.
o'clock in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:


J.

FILED 300
01/05/07 Atty Kirk
OCT 09 2007

William A. Shaw
Prothonotary/Clerk of Courts

(64)

FILED

OCT 09 2007

**William A. Shaw
Prothonotary/Clerk of Courts**

DATE: 10/09/07

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:

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

PLAINTIFFS

v.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

NO. 2006-1787-CD

FILED
NOV 21 2007
6 2:30 PM
William A. Shaw
Prothonotary/Clerk of Courts
2 Cents TG
DFFM

CROSS MOTION FOR

SUMMARY JUDGMENT

FILED BY:

WILLIAM D. TAYLOR and
CAROL A. TAYLOR
324 Peoples Road
Curwensville, PA 16833
(814) 236-3829

William D. Taylor
(Signature)
Carol Taylor
(Signature)

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

PLAINTIFFS

Cross Motion for Summary Judgment
~~RESPONSE TO NEW MATTER~~

V.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

RESPONSE TO NEW MATTER

AND NOW COMES the Defendants, William D. Taylor and Carol A. Taylor and files
this Cross Motion for Summary Judgment where the following is a statement:

FACTS

That the Plaintiffs filed a Civil Complaint in Quiet Title on December 11, 2006 seeking a
claim to the real estate shown on Paragraph 3 of the Complaint of Plaintiffs.

That the Defendants responded by filing an Answer to the Complaint denying the
allegations of the Plaintiffs' Complaint. The Defendants also filed "New Matter" alleging their
ownership interest in the tract of land in question.

The chain of title averred by the Plaintiffs is inaccurate and the Plaintiffs are without a
valid claim to the real estate described in Plaintiffs' Complaint.

Therefore, Defendants should be entitled to summary judgment against the Plaintiffs.

ARGUMENT

Defendants have established title to the premises described as 3.898 acres situate in Jordan Township, Clearfield County, Pennsylvania. This chain is outlined as attached to Defendants' Response to New Matter filed on March 14, 2007.

The chain of title averred by Defendants includes no gaps in the chain of title. The Treasurer's Sale in 1936 and the Commissioner's Sale in 1942 are recorded in the record books of same. The property description is identical and stayed the same from the first deed from Ellis Michaels to Mrs. E. Woods on June 1, 1885 reciting 5 acres through the final conveyance to the Defendants on July 27, 1977. The Defendants then had a survey prepared in 2004 which cited the land as 3.898 acres.

In Paragraph 3 of the Plaintiffs' Complaint Plaintiffs' deed recites in the "Second Thereof" Excepting and Reserving, also, out of the above described tract about four (4) acres heretofore sold and conveyed by Ellis Michaels. Defendants believe this is the same 3.898 acres of which they currently hold title.

Defendants claim that Eliza Sloppy was married to Peter Sloppy. From this marriage there were nine children, all who have since departed this life. Arilla Sloppy was the last of the nine children. An Affidavit has been attached hereto as Exhibit 'A'. Also attached hereto is an Affidavit of Title Search, marked as Exhibit 'B'.

In paragraph 18 of Plaintiffs' Complaint, Plaintiffs aver they are the owners in fee simple of the property described as Map No. 113G-13-6 and 120-G14-5 located in Jordan and Ferguson Townships, Clearfield County, Pennsylvania.

Defendants have been paying the taxes on the 3.898 acres in Jordan Township since 1977. The Map No. for the said 3.898 acres is 120-G14-000-00057. Therefore, this parcel is taxed as a sole and separate parcel from the land the Plaintiffs' are seeking to claim. The Tax Bill is attached hereto as Exhibit 'C' for reference.

WHEREFORE, the Defendants William D. Taylor and Carol A. Taylor respectfully request this Honorable Court that a Summary Judgment be entered in favor of them and against Plaintiffs Raymond E. Shaffer, Rudy W. Shaffer, Donald L. Shaffer and Eileen Shaffer, Administrator, Estate of Floyd Shaffer, their heirs, successors, and assigns, and all persons claiming by, under and through them.

Respectfully submitted,

William D. Taylor
WILLIAM D. TAYLOR, Defendant

Carol A. Taylor
CAROL A. TAYLOR, Defendant

VERIFICATION

I hereby verify that the statements made in the foregoing Response are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

William D Taylor
WILLIAM D. TAYLOR

Carol A Taylor
CAROL A. TAYLOR

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

PLAINTIFFS

CROSS MOTION FOR

v.

SUMMARY JUDGMENT

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

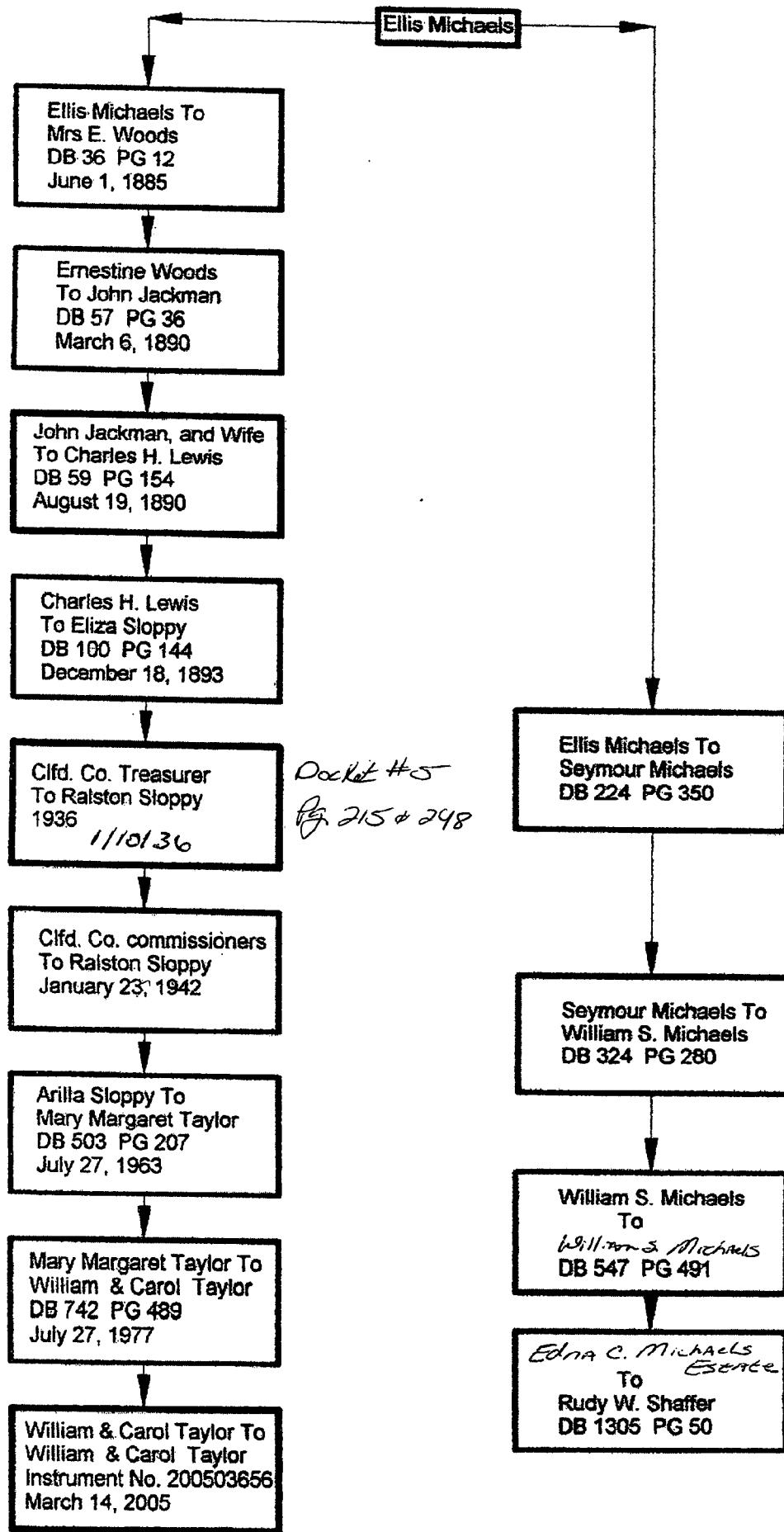
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to New Matter was served by U.S. Mail, First Class, this 21~~st~~ day of November, 2007 upon the following:

Alan F. Kirk, Esquire
Babst, Calland, Clements and Somnir, PC
328 Innovation Boulevard, Suite 200
State College, PA 16803


WILLIAM D. TAYLOR


CAROL A. TAYLOR



Commonwealth of Pennsylvania :
ss :
County of Clearfield :

AFFIDAVIT

AND NOW, this _____ day of November, 2007, before me, Jacqueline S. Ciamacco, Notary Public, in and for said county and state approved, William D. Taylor and Carol A. Taylor being first duly sworn according to law deposes and says as follows:

1. That Eliza Lewis a/k/a Eliza Sloppy was married to Peter Sloppy.
2. That the subject property was deeded to Eliza Sloppy by deed of Charles H. Lewis dated December 18, 1893 and recorded in Deed Book 100, Page 144.
3. From this marriage were born nine children:
 - a. William George Sloppy, DOB 7/18/1867, died in 1936;
 - b. Lucinda Viola Sloppy, DOB 12/24/1868, died in 1950;
 - c. Thompson Able Sloppy, DOB 6/19/1871, died in 1942;
 - d. Eli Edward Sloppy, DOB 4/27/1873, died in 1940;
 - e. Margaret Lavina Sloppy, DOB 8/11/1875, died in 1928;
 - f. Ralston Lewis Sloppy, DOB 11/16/1878, died in 1953;
 - g. Mary Alice Sloppy, DOB 3/7/1881, died in 1958;
 - h. Cyrus Denton Sloppy, DOB 1/1/1884, died in 1954;
 - i. Arilla Gertrude Sloppy, DOB 3/25/1886, died in 1966.
4. That the property was kept in the family by Ralston Lewis Sloppy who paid the taxes in full at a Treasurer's Sale in 1936.

EXHIBIT "A"

5. That the property was again kept in the family by Ralston Lewis Sloppy who paid the taxes in full at a Commissioner's Sale on January 23, 1942.
6. That Arilla Gertrude Sloppy was the last surviving heir of the Sloppy family.

Therefore, the family property became her sole property.

William D. Taylor
WILLIAM D. TAYLOR

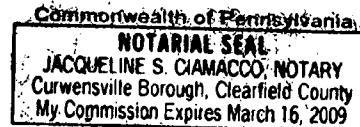
Carol Taylor
CAROL A. TAYLOR

Commonwealth of Pennsylvania)
County of Clearfield) :ss:

On this, the 21st day of November, 2007, before me, the undersigned officer, personally appeared William D. Taylor and Carol A. Taylor, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

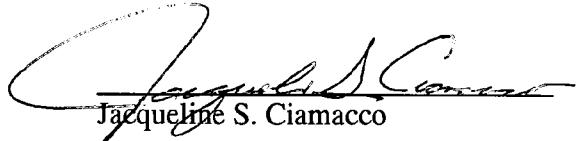


Commonwealth of Pennsylvania :
ss :
County of Clearfield :

AFFIDAVIT

AND NOW, this 26th day of October, 2007 before me, Karen L. Starck
Notary Public, in and for said county and state approved, Jacqueline S. Ciamacco, being
first duly sworn according to law deposes and says as follows:

1. That a full and complete title search was conducted proving the chain of title
to William D. and Carol A. Taylor.



Jacqueline S. Ciamacco

Commonwealth of Pennsylvania)
:ss:
County of Clearfield)

On this, the 26th day of October, 2007, before me, the undersigned
officer, personally appeared Jacqueline S. Ciamacco, known to me (or satisfactorily
proven) to be the person whose name is subscribed to the within instrument, and
acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires: _____



Karen L. Starck
Notary Public

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 2008

RECORDER OF DEEDS

Description of Taxable	3.898 A
Map #	
G14-000-00057	
Payable To SANDEE L. SMEAL, TAX COLLECTOR	
263 SAWMILL ROAD	
IRVONA PA 16656	
PHONE 814-672-3187	
MON 12-3 PM THURS 5-9 PM DISCOUNT ONLY	
HOME VISITS & ALL OTHERS BY	
APPOINTMENT ONLY	
Taxes Are Due and Payable and Payment Is Requested From	
TAYLOR, WILLIAM D. & CAROL A.	
324 PEOPLES RD	
CURWENSVILLE PA 16833	

Real Estate Tax For 2007	Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
	Land	County	21.00	8.23	8.40	9.24
	400	TOWNSHIP	2.30	0.90	0.92	1.01
	Bldg.		0.00			
	0		0.00			
	Total					
		400	Total			
Payment Schedule						
Received By	5/1/2007	@	2.00 % Discount Pay -->	9.13		
Beginning	7/3/2007	@	10.00 % Penalty Pay -->	10.25		
Unpaid Taxes Returned To Tax Claim By	1/15/2008		At 8:30 AM			

Tax Collectors
Copy

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.

Bill# 732 Mail Date: 3/1/2007 County of Clearfield, Pennsylvania / JORDAN TOWNSHIP Control # 1200 27882

Description of Taxable	3.898 A
Map #	
G14-000-00057	
Payable To SANDEE L. SMEAL, TAX COLLECTOR	
263 SAWMILL ROAD	
IRVONA PA 16656	
PHONE 814-672-3187	
MON 12-3 PM THURS 5-9 PM DISCOUNT ONLY	
HOME VISITS & ALL OTHERS BY	
APPOINTMENT ONLY	
Taxes Are Due and Payable and Payment Is Requested From	
TAYLOR, WILLIAM D. & CAROL A.	
324 PEOPLES RD	
CURWENSVILLE PA 16833	

Real Estate Tax For 2007	Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
	Land	County	21.00	8.23	8.40	9.24
	400	TOWNSHIP	2.30	0.90	0.92	1.01
	Bldg.		0.00			
	0		0.00			
	Total					
		400	Total			
Payment Schedule						
Received By	5/1/2007	@	2.00 % Discount Pay -->	9.13		
Beginning	7/3/2007	@	10.00 % Penalty Pay -->	10.25		
Unpaid Taxes Returned To Tax Claim By	1/15/2008		At 8:30 AM			

Tax Payers
Receipt

Signature of Tax Collector

Date Paid

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.

EXHIBIT "E"

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER AND EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER,

NO. 2006-1787-CD

FILED NOCC
m/11/17/07
NOV 26 2007

William A. Shaw
Prothonotary/Clerk of Courts

Filed On Behalf Of: Plaintiffs

PLAINTIFFS

V.

WILLIAM D. TAYLOR AND CAROL A.
TAYLOR, THEIR HEIRS, SUCCESSORS, AND
ASSIGNS, AND ALL PERSONS CLAIMING BY,
UNDER AND THROUGH THEM,
DEFENDANTS

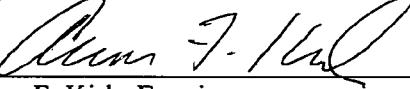
Counsel of Record For This Party:
BABST, CALLAND, CLEMENTS
AND ZOMNIR, PC.
Alan F. Kirk, Esquire
328 Innovation Boulevard, Suite 200
State College, PA 16803
Phone: 814.867.8055
Fax: 814.867.8051
Email: akirk@bccz.com

AFFIDAVIT OF SERVICE

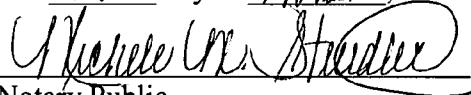
I, *Alan F. Kirk, Esquire, of Babst, Calland, Clements and Zomnir, PC.*, hereby certify
that a true and correct copy of the *Rule To Show Cause Why Motion For Summary Judgment
Should Not Be Granted* in the above-captioned matter was served upon the Defendants by
Certified Mail, Return Receipt Requested, and First Class U.S. Mail, on October 11, 2007, as
indicated by the attached return receipts.

BABST, CALLAND, CLEMENTS AND
ZOMNIR, P.C.

By


Alan F. Kirk, Esquire

Sworn to and subscribed before me
this 10th day of November, 2007.


Michele M. Steudler
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Michele M. Steudler, Notary Public
College Twp., Centre County
My Commission Expires Apr. 7, 2010

Member, Pennsylvania Association of Notaries

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.41
Certified Fee	\$.65
Return Receipt Fee (Endorsement Required)	\$.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$.61

Postmark
Here

Sent To
Street, Apt. No.;
or PO Box No.
City, State, ZIP+4

PS Form 3800, June 2002
See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.41
Certified Fee	\$.65
Return Receipt Fee (Endorsement Required)	\$.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$.61

Postmark
Here

Sent To
Street, Apt. No.;
or PO Box No.
City, State, ZIP+4

PS Form 3800, June 2002
See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

1111 1111 1111 1111

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

7005 1820 0001 9590 9994

COMPLETE THIS SECTION ON DELIVERY

A. Signature	<i>Robert Taylor</i>	<input type="checkbox"/> Agent
X	<i>Robert Taylor</i>	<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
	10-12-07	

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

1111 1111 1111 1111

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

7005 1820 0001 9591 0006

COMPLETE THIS SECTION ON DELIVERY

A. Signature	<i>Robert Taylor</i>	<input type="checkbox"/> Agent
X	<i>Robert Taylor</i>	<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
	10-12-07	

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-250

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER

NO. 2006-1787-CD

PLAINTIFFS

v.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

PRAECIPE

TO THE PROTHONOTARY:

Kindly enter the appearance of William F. Donovan, Esquire, as counsel for Defendants
in the above-captioned action.

Dated: November 27, 2007

By: William F. Donovan
William F. Donovan
Attorney for Defendants
1315 West College Avenue
Suite 203
State College, PA 16801
(814) 237-0615
Pa. Id. No. 06754

FILED

Oct 24 2007
NOV 27 2007

4cc
- Atty Donovan

William A. Shaw
Prothonotary/Clerk of Courts

Copy to CJA

(GK)

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER,
DONALD L. SHAFFER and EILEEN SHAFFER,
ADMINISTRATOR, ESTATE OF FLOYD
SHAFFER

NO. 2006-1787-CD

PLAINTIFFS

v.

WILLIAM D. TAYLOR and CAROL A. TAYLOR,
THEIR HEIRS, SUCCESSORS AND ASSIGNS,
AND ALL PERSONS CLAIMING BY, UNDER
AND THROUGH THEM,

DEFENDANTS

CERTIFICATE OF SERVICE

AND NOW, this 27th day of November, 2007, I, William F. Donovan, hereby certify that I have, this date, served a true and correct copy of the foregoing Praeclipe by hand delivery to the following Plaintiffs' legal counsel of record:

Allen F. Kirk, Esquire
328 Innovation Boulevard
Suite 200
State College, PA 16803



William F. Donovan
Attorney for Defendants
1315 West College Avenue
Suite 203
State College, PA 16801
(814) 237-0615
Pa. Id. No. 06754

FILED

NOV 27 2007

William A. Shad
Prothonotary/Clerk of Courts

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

RAYMOND SHAFFER, RUDY W. :
SHAFFER, DONALD L. SHAFFER :
AND EILEEN SHAFFER, :
ADMINISTRATOR, ESTATE OF :
FLOYD SHAFFER :
.....

-vs-

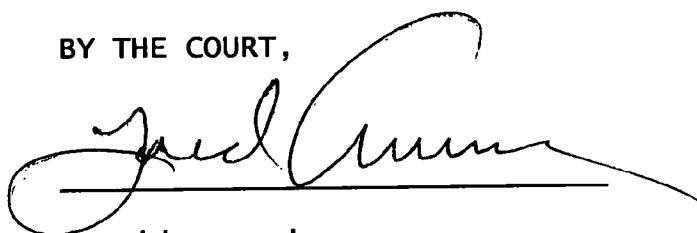
No. 06-1787-CD

WILLIAM D. TAYLOR AND :
CAROL A. TAYLOR, THEIR :
HEIRS, SUCCESSORS, AND :
ASSIGNS, AND ALL PERSONS :
CLAIMING BY, UNDER AND :
THROUGH THEM :
.....

O R D E R

AND NOW, this 27th day of November, 2007,
following argument on the Plaintiffs' Motion for Summary
Judgment and the Defendant's Cross Motion for Summary
Judgment, it is the ORDER of this Court that both said
Motions be and are hereby dismissed.

BY THE COURT,



President Judge

FILED

013.08.01 2CC Atty Kirk

NOV 29 2007 2CC Def.

WM
William A. Shaw
Prothonotary/Clerk of Courts

324 Peebles Road
Curwensville, PA 16836

FILED

NOV 29 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/29/07

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:

CA

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

RAYMOND E. SHAFFER, RUDY W. SHAFFER, * NO. 2006-1787-CD
DONALD L. SHAFFER, EILEEN SHAFFER, and *
FLOYD SHAFFER ESTATE *
Plaintiffs *
vs. *
WILLIAM D. TAYLOR and CAROL A. TAYLOR *
Defendants *

ORDER

NOW, this 18th day of March, 2013, it is the ORDER of this Court that a **status conference** in the above-captioned case be and is hereby scheduled for the **8th day of May, 2013 at 1:30 p.m.** in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FILED
1/3/13 cm
S

ICC Atty Kirk
ICC deft's @
324 Peb Los Rd
Curwensville PA
16833

William A. Shaw
Prothonotary/Clerk of Courts

612

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

RAYMOND E. SHAFFER, RUDY }
W. SHAFFER, DONALD L. } NO. 2006-1787-CD
SHAFFER, EILEEN SHAFFER }
AND FLOYD SHAFFER ESTATE }
VS }
WILLIAM D. TAYLOR AND }
CAROL A. TAYLOR }
} FILED 0194467 MAY 10 2013
} 6 William A. Shaw
} Prothonotary/Clerk of Courts
} 2CC ATT A.KRK
} 1CCdaffs
} 606

0 R D E R

NOW, this 8th day of May, 2013, following status conference among the Court and counsel with the Court noting that Attorney Frederick Neiswender, Esquire, now represents the defendants and has represented to the Court that prior counsel William Donovan is no longer engaged in the practice of law, it is the ORDER of this Court that this matter shall be and is hereby scheduled for Pretrial Conference at 3:00 p.m. on Wednesday, July 10, 2013,

Courtroom No. 1, Clearfield County Courthouse,
Clearfield, PA.

BY THE COURT,

A handwritten signature in black ink, appearing to read "Judge J. Cunningham". The signature is fluid and cursive, with "Judge" on the left and "J. Cunningham" on the right.

President Judge

DATE: 5-10-13

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

FILED

MAY 10 2013

William A. Shaw
Prothonotary/Clerk of Courts

Jeffs
324 Peebles Rd
Curwensville 16833

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

RAYMOND E. SHAFFER,
RUDY W. SHAFFER, DONALD L.
SHAFFER, EILEEN SHAFFER AND
FLOYD SHAFFER ESTATE,

Plaintiffs,

vs.

WILLIAM D. TAYLOR AND
CAROL A. TAYLOR,

Defendants.

2006

No. 2008-1787-CD

Type of case: Civil

Type of Pleading: **PRAECIPE**
TO ENTER APPEARANCE

Filed on behalf of: Defendants,
William D. Taylor and
Carol A. Taylor

Counsel of Record:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

NEISWENDER & KUBISTA
211 ½ North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

FILED
03:05 P.M. 6K 3cc 144
JUL 10 2013

William A. Shaw
Prothonotary/Clerk of Courts

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

RAYMOND E. SHAFFER, :
RUDY W. SHAFFER, DONALD L. :
SHAFFER, EILEEN SHAFFER AND :
FLOYD SHAFFER ESTATE, :
Plaintiffs, :
vs. : No. 2008-1787-CD
WILLIAM D. TAYLOR AND :
CAROL A. TAYLOR, :
Defendants. :
:

PRAECIPE FOR ENTRY OF APPEARANCE

Please enter my appearance on behalf of WILLIAM D. TAYLOR and CAROL A. TAYLOR, the Defendants in the above captioned matter.

07/10/2013
Date

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
Attorney for Defendants

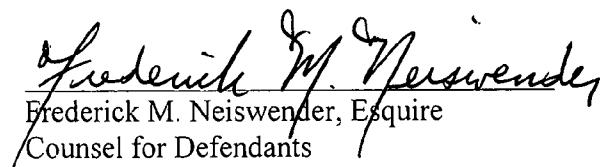
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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RAYMOND E. SHAFFER, :
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Plaintiffs, :
vs. : No. 2008-1787-CD
WILLIAM D. TAYLOR AND :
CAROL A. TAYLOR, :
Defendants. :

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Praeclipe to Enter Appearance was made upon the Raymond E. Shaffer, Rudy W. Shaffer, Donald L. Shaffer, Eileen Shaffer and Floyd Shaffer Estate, by hand delivery, a true copy to their attorney of record, Alan F. Kirk, Esquire, on July 10, 2013, at the following address:

Alan F. Kirk
Attorney at Law
341 N. Science Park Road
Suite 204
State College, PA 16803
(Hand Delivered at the Clearfield County Courthouse)


Frederick M. Neiswender, Esquire
Counsel for Defendants

NEISWENDER & KUBISTA
211 ½ North Second Street
Clearfield, Pennsylvania 16830

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

RAYMOND D. SHAFFER, RUDY W. SHAFFER, DONALD L.
SHAFFER, EILEEN SHAFFER and FLOYD SHAFFER ESTATE

Plaintiffs

vs

WILLIAM D. TAYLOR and CAROL A. TAYLOR

Defendants

* NO. 2006-1787-CD

*

*

*

*

* **FILED**

JUL 12 2013
Off 11:10 a.m. KSK

William A. Shaw
Prothonotary/Clerk of Courts

6K

Attn: Neiswender

ORDER

NOW, this 10th day of July, 2013, following Pre-Trial Conference with counsel and the Court; it is the ORDER of this Court that a one-half day non-jury trial be and is hereby scheduled for **NOVEMBER 13, 2013** commencing at **1:30 p.m.** in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

ALAN F. KIRK

Attorney at Law

341 N. SCIENCE PARK ROAD

SUITE 204

STATE COLLEGE, PA 16803

alan@alanfkirk.com

TEL: (814) 325-9410

FAX: (814) 325-9414

November 12, 2013

F. Cortez Bell, III, Esq.
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16803

Re: Raymond D. Shaffer, et al. v. William D. Taylor and Carol A. Taylor
No. 2006-1787-CD

Dear Mr. Bell,

Trial in the above captioned matter is scheduled for November 13, 2013. The parties have reached an amicable agreement and have agreed to settle. The trial scheduled for tomorrow is no longer necessary. I will be filing a Praecept to satisfy and discontinue the case once Attorney Neiswender and I have exchanged settlement documents

Thank you.

Sincerely,



Alan F. Kirk, Esq

NO CC
013434m File per
S. Ammerman
Judge Ammerman
S. Ammerman
CLERK OF COURT

Cc: Frederick M. Neiswender, Esq
AFK/mte