



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

SCOTT E. KUCHARCIK, :  
Plaintiff :  
VS. :  
ROY HEILMAN, his heirs, :  
successors and assigns, :  
ELLEN J. HOWARD, her heirs, :  
successors and assigns, :  
KELLY J. SLOPPY, his heirs, :  
successors and assigns, and/or any person :  
or entity claiming title in and to the herein :  
herein described premises under them, :  
Defendant :

NO. 2007-300-C0

ACTION TO QUIET TITLE

CASE NUMBER: \_\_\_\_\_  
TYPE OF CASE: Quiet Title Action  
TYPE OF PLEADING: COMPLAINT  
FILED ON BEHALF OF: Plaintiff

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

William A. Shaw  
Prothonotary/Clerk of Courts

FILED  
MAR 01 2007

FILED  
MAR 01 2007  
0/9:30/10  
William A. Shaw  
Prothonotary/Clerk of Courts  
Went to Atty

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

SCOTT E. KUCHARCIK,	:	
	:	
Plaintiff	:	
	:	
VS.	:	NO. _____
	:	
ROY HEILMAN, his heirs,	:	
successors and assigns,	:	
ELLEN J. HOWARD, her heirs,	:	
successors and assigns,	:	
KELLY J. SLOPPY, his heirs,	:	
successors and assigns, and/or any person	:	
or entity claiming title in and to the herein	:	ACTION TO QUIET TITLE
herein described premises under them,	:	
Defendant	:	

**NOTICE**

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

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

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

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

SCOTT E. KUCHARCIK,	:	
	:	
Plaintiff	:	
	:	
VS.	:	NO. _____
	:	
ROY HEILMAN, his heirs,	:	
successors and assigns,	:	
ELLEN J. HOWARD, her heirs,	:	
successors and assigns,	:	
KELLY J. SLOPPY, his heirs,	:	
successors and assigns, and/or any person	:	
or entity claiming title in and to the herein	:	ACTION TO QUIET TITLE
herein described premises under them,	:	
Defendant	:	

**COMPLAINT**

AND NOW, comes SCOTT E. KUCHARCIK, by and through his attorney, JOHN A. SOBEL, IV, who avers as follows:

1. That Plaintiff, SCOTT E. KUCHARCIK, is an adult individual, with an address of 1200 Turnpike Avenue, Clearfield, Clearfield County, Pennsylvania, 16830.
2. That Defendant, ROY HEILMAN, is believed to have passed away with a last known address in the Borough of Curwensville, Clearfield County, Pennsylvania. A search of the appropriate records revealed no Estate being filed for Roy Heilman in the Register of Wills Office of Clearfield County. Thus, it is believed and therefore averred that he died intestate, without issue.
3. That Defendant ELLEN J. HOWARD, is believed to have passed away with a last known address being unknown. A search of the appropriate records revealed no Estate being filed for Ellen J. Howard in the Register of Wills Office of Clearfield County. Thus, it is believed and therefore averred that she died intestate, without issue.

4. That Defendant KELLY J. SLOPPY, is believed to have passed away December 14, 1971 in Knox Township, Clearfield County, Pennsylvania. Estate records were filed for a Kelly J. Sloppy to Estate File No. 75-79 in the Register of Wills Office of Clearfield County, Pennsylvania. The only beneficiary identified in those records was a Donna M. Sloppy of Irvona, Pennsylvania. There no additional records found for said beneficiary, Donna M. Sloppy.

5. That the property in question is more particularly described below and has the Tax Map No. 113-G12-000-00048:

**ALL** that certain parcel of land situate in Ferguson Township, Clearfield County, Pennsylvania, being described as follows:

**BEING** that parcel bounded on the North by the New York Central Railroad, now abandoned, on the South, West and the East by the coal company.

Containing four and one-half (4 ½) acres, more or less.

6. Defendant, Roy Heilman, purchased 4 1/2 acres in Ferguson Township, more specifically identified as Clearfield County Tax Map Number 113-G12-000-00048, on May 10, 1937, at Deed Book Volume 318, Page 390 from Kelly J. Sloppy, single.

7. That said property was found on Microfilm in the Mapping & Assessment Office of Clearfield County as sold by the County at Commissioner's Sale for nonpayment of taxes in 1936 as property of Ellen J. Howard to Kelly J. Sloppy. However there is no Deed on record from the commissioners to support this transfer.

8. That said property was then sold by the County Treasurer's Office as property of Kelly J. Sloppy to the County Commissioner's by Deed dated July 8, 1940 and filed for record January 18, 1974 to Deed Book 668, Page 280.

9. That Robert J. Allison purchased said property from the County Commissioner's Office, sold as property of Kelly J. Sloppy, by Deed dated August 23, 1943 and filed for record September 21, 1971 to Deed Book 580, Page 310.

10. That said property was then sold by the County Commissioner's Office at sale in 1973, sold as property of Robert J. Allison, to D. Edward Chaplin, Robert Kester, J. Richard Mattern and Thomas F. Morgan.

11. By Deed dated December 14, 1977 and recorded in Deed Book 752, Page 212, Robert Kester and D. Edward Chaplin conveyed their interest to Joseph Colavecchi and Joan Colavecchi and by Assignment dated January 3, 1978 and recorded in Miscellaneous Book 214, page 8, Joseph Colavecchi and Joan Colavecchi conveyed their ½ interest to Ednie Fuels, Inc. By Assignment dated February 24, 1978, Thomas F. Morgan, Anne L. Morgan, his wife, J. Richard Mattern and J. Richard Mattern, attorney-in-fact for Lucile Kempel Mattern, his wife, conveyed their ½ interest to Ednie Fuels, Inc. Said Assignment recorded August 7, 1992 in Deeds & Records Book Volume 1477, Page 39.

12. That said parcel was then conveyed by Robert J. Allison, widower to Ednie Fuels, Inc., by Deed dated August 2, 1985 and filed August 2, 1985 to Deeds & Records Book 1028, Page 514.

13. That Ednie Fuels, Inc. by Deed dated December 31, 1991 conveyed the subject parcel to Thomas F. Morgan and Anne L. Morgan, husband and wife, as to an undivided ½ interest; Thomas R. Morgan, an undivided 1/4 interest and David R. Morgan, an undivided 1/4 interest. Said Deed being recorded September 16, 1992 and filed to Deeds & Records Book Volume 1484, Page 536.

14. That said parcel was then conveyed by Thomas F. Morgan and Anne L. Morgan, husband and wife; Thomas R. Morgan and David R. Morgan to Ronald Gaggini by Deed dated April 13, 1993 and recorded April 14, 1993 to Deeds & Records Book Volume 1524, page 266.

15. That said parcel was then conveyed by Kevin Vinroe, Executor of the Estate of Ronald P. Gaggini a/k/a Renaldo P. Gaggini to Valerie K. Schubert, Suzanne N. Houk and Leslie Vinroe by Deed dated October 20, 2001 and recorded November 5, 2001 to Instrument No. 200117858.

16. That said parcel was then conveyed by Valerie K. Schubert a/k/a Valerie Schubert and Keith Schubert, her husband; Suzanne N. Houk a/k/a Suzanne Houk and Timothy Houk, her husband; and Leslie Vinroe and Kevin Vinroe, her husband to Scott E. Kucharcik by Deed dated August 9, 2006 and recorded August 9, 2006 to Instrument No. 200613347.

17. That the purpose of this Quiet Title Action is to extinguish and cure any defects which may exist in the ownership of property more particularly described in Paragraph 5 hereof, and to extinguish any equity which the Defendant, his heirs, successors and assigns may have in the premises described in Paragraph 5 hereof.

18. That the Defendant, his heirs, successors and assigns identified in Paragraphs 2 through 4 of this Complaint are the only persons or entity known to Plaintiff who have any interest in said property.

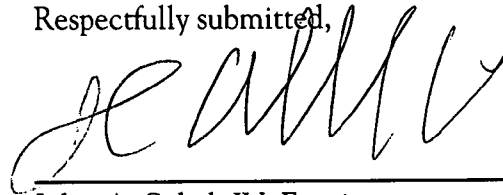
**WHEREFORE,** Plaintiff requests:

A. that be decree of your Honorable Court it may be declared that title to the premises set forth in Paragraph 5 is in the Plaintiff and that he be allowed to enjoy said property in peace;

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

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Sobel, IV", written over a horizontal line.

John A. Sobel, IV, Esquire  
Attorney for Plaintiff



COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

**AFFIDAVIT**

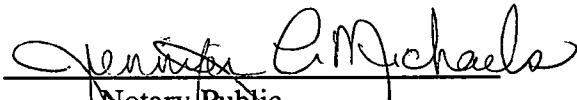
Before me, the undersigned officer, personally appeared, SCOTT E. KUCHARCIK  
who being duly sworn according to law deposes and says that the facts set forth in the foregoing  
Complaint are true and correct to the best of his knowledge, information, and belief.

  
SCOTT E. KUCHARCIK

Sworn to and subscribed

before me this 26<sup>th</sup> day

of February, 2007.

  
Notary Public

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

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

SCOTT E. KUCHARCIK, :  
Plaintiff :  
VS. :  
ROY HEILMAN, his heirs, :  
successors and assigns, :  
ELLEN J. HOWARD, her heirs, :  
successors and assigns, :  
KELLY J. SLOPPY, his heirs, :  
successors and assigns, and/or any person :  
or entity claiming title in and to the herein :  
herein described premises under them, :  
Defendant :

NO. 2007-300-CN

ACTION TO QUIET TITLE

CASE NUMBER: \_\_\_\_\_

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: **AFFIDAVIT**

FILED ON BEHALF OF: Plaintiff

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

**FILED**

MAR 01 2007

0/9:30 (u)  
William A. Shaw  
Prothonotary/Clerk of Courts

1 CENT TO ATT

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

SCOTT E. KUCHARCIK,

Plaintiff

VS.

NO. \_\_\_\_\_

ROY HEILMAN, his heirs,

successors and assigns,

ELLEN J. HOWARD, her heirs,

successors and assigns,

KELLY J. SLOPPY, his heirs,

successors and assigns, and/or any person

or entity claiming title in and to the herein

herein described premises under them,

Defendant

ACTION TO QUIET TITLE

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA

:

: SS.

COUNTY OF CLEARFIELD

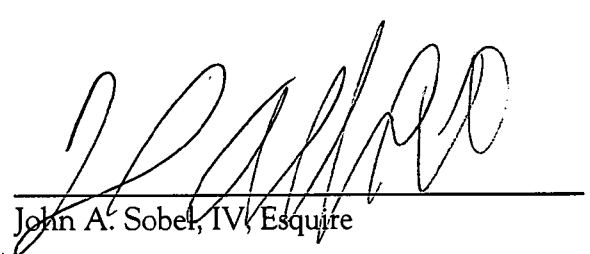
:

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

1. All public records in the Clearfield County Courthouse and local telephone books have been checked prior to making this Affidavit.

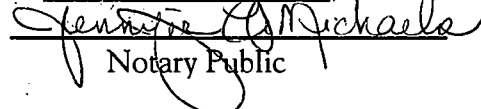
2. That I have made a good faith effort to find the whereabouts of the Defendants, their heirs, successors and assigns.

Further, the deponent sayeth not.

  
John A. Sobel, IV, Esquire

Sworn to and subscribed  
before me this 27<sup>th</sup> day

of February, 2007.

  
Notary Public

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

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

SCOTT E. KUCHARCIK, :  
Plaintiff :  
VS. :  
ROY HEILMAN, his heirs, :  
successors and assigns, :  
ELLEN J. HOWARD, her heirs, :  
successors and assigns, :  
KELLY J. SLOPPY, his heirs, :  
successors and assigns, and/or any person :  
or entity claiming title in and to the herein :  
herein described premises under them, :  
Defendant :

NO. 2007-300-60

ACTION TO QUIET TITLE

CASE NUMBER: \_\_\_\_\_  
TYPE OF CASE: Quiet Title Action  
TYPE OF PLEADING: MOTION FOR PUBLICATION  
FILED ON BEHALF OF: Plaintiff

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

**FILED**  
MAR 01 2007  
0/9:30/AM  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 CENT TO ATT

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

SCOTT E. KUCHARCIK,  
Plaintiff  
VS.

NO. \_\_\_\_\_

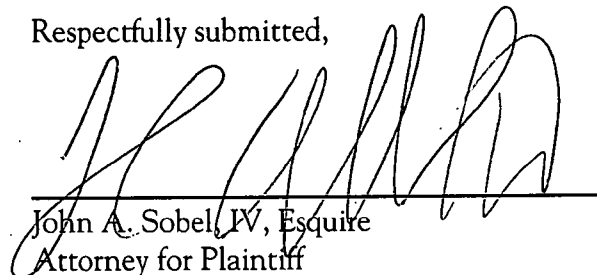
ROY HEILMAN, his heirs,  
successors and assigns,  
ELLEN J. HOWARD, her heirs,  
successors and assigns,  
KELLY J. SLOPPY, his heirs,  
successors and assigns, and/or any person  
or entity claiming title in and to the herein  
herein described premises under them,  
Defendant

ACTION TO QUIET TITLE

**MOTION FOR PUBLICATION**

AND NOW, to wit, this 1<sup>st</sup> day of March, 2007, an Affidavit having been filed by John A. Sobel, IV, attorney for the Plaintiff, that the whereabouts of the above named Defendant his heirs, successors and assigns, are unknown, the said John A. Sobel, IV moves the Court for leave to serve the Complaint upon the said Defendants, their heirs, successors and assigns, generally by publication once in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania.

Respectfully submitted,

  
John A. Sobel, IV, Esquire  
Attorney for Plaintiff

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

SCOTT E. KUCHARCIK,  
Plaintiff  
VS.

NO. 2007-300-CD

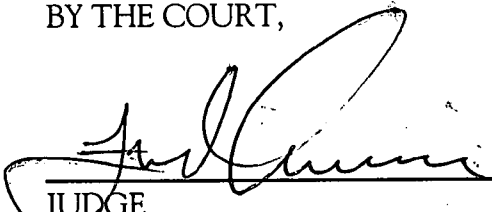
ROY HEILMAN, his heirs,  
successors and assigns,  
ELLEN J. HOWARD, her heirs,  
successors and assigns,  
KELLY J. SLOPPY, his heirs,  
successors and assigns, and/or any person  
or entity claiming title in and to the herein  
herein described premises under them,  
Defendant

ACTION TO QUIET TITLE

**ORDER**

AND NOW, to wit, this 1 day of March, 2007, upon consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on the Defendants, their heirs, successors and assigns, by publication once in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania.

BY THE COURT,

  
JUDGE

**FILED** KC Atty  
0/3:40 Lm Sobel  
MAR 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

FILED  
MAR 01 2007  
William A. Shaw  
Prothonotary/Clerk of Courts  
DATE: 3-1-2007

☒ 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

MAR 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

SCOTT E. KUCHARCIK,	:	
	:	
Plaintiff	:	
	:	
VS.	:	NO. 2007-300-CD
	:	
ROY HEILMAN, his heirs,	:	
successors and assigns,	:	
ELLEN J. HOWARD, her heirs,	:	
successors and assigns,	:	
KELLY J. SLOPPY, his heirs,	:	
successors and assigns, and/or any person	:	
or entity claiming title in and to the herein	:	ACTION TO QUIET TITLE
herein described premises under them,	:	
Defendant	:	

CASE NUMBER: 2007-300-CD

TYPE OF CASE: Quiet Title Action

FILED ON BEHALF OF: Plaintiff

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

FILED NPCC  
019:51a/20  
APR 04 2007 (6X)

William A. Shaw  
Prothonotary/Clerk of Courts

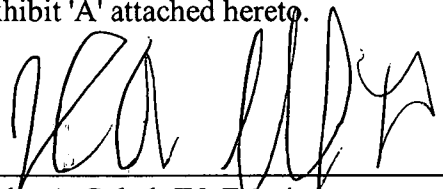


IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

SCOTT E. KUCHARCIK,	:	
	:	
Plaintiff	:	
	:	
VS.	:	NO. 2007-300-CD
	:	
ROY HEILMAN, his heirs,	:	
successors and assigns,	:	
ELLEN J. HOWARD, her heirs,	:	
successors and assigns,	:	
KELLY J. SLOPPY, his heirs,	:	
successors and assigns, and/or any person	:	
or entity claiming title in and to the herein	:	ACTION TO QUIET TITLE
herein described premises under them,	:	
Defendant	:	

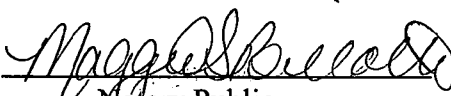
**AFFIDAVIT**

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

  
\_\_\_\_\_  
John A. Sobel, IV, Esquire  
Attorney for Plaintiff

Sworn to and subscribed

before me this 2nd day  
of April, 2007.

  
\_\_\_\_\_  
Notary Public  
COMMONWEALTH OF PENNSYLVANIA  
- NOTARIAL SEAL  
MAGGIE S. BILLOTTE, NOTARY PUBLIC  
CLEARFIELD BORO, CLEARFIELD CO.  
MY COMMISSION EXPIRES SEPT. 15, 2008

# Exhibit "A"

IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(CIVIL DIVISION)  
NO. 2007-300-CD

ACTION TO  
QUIET TITLE  
SCOTTE E. KUCHARCIK,  
Plaintiff  
VS.

ROY HEILMAN, his heirs,  
successors and assigns,  
ELLEN J. HOWARD, her heirs,  
successors and assigns,  
KELLY J. SLOPPY, his heirs,  
successors and assigns,  
and/or any person  
or entity claiming  
title in and to the  
herein described premises  
under them,  
Defendant

NOTICE  
TO THE ABOVE NAMED DEFEN-  
DANT her heirs, successors and  
assigns:

YOU HAVE BEEN SUED IN  
COURT. If you wish to defend  
against the claims set forth in the  
following pages, you must take ac-  
tion within twenty (20) days after  
this Complaint and Notice are  
served, by entering a written ap-  
pearance 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 fur-  
ther 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 PA-  
PER TO YOUR LAWYER AT  
ONCE. IF YOU DO NOT HAVE A  
LAWYER OR CANNOT AFFORD  
ONE, GO TO OR TELEPHONE  
THE OFFICE SET FORTH BELOW  
TO FIND OUT WHERE YOU CAN  
GET LEGAL HELP.

COURT ADMINISTRATOR'S  
OFFICE

Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

You are hereby notified that an  
Action to Quiet Title to all that cer-  
tain piece or parcel of land situate in  
the Commonwealth of Pennsylvania,  
County of Clearfield, Township  
of Ferguson, having the Tax Map  
No. 113-G12-000-00048, and  
more particularly described as fol-  
lows:

ALL that certain parcel of land sit-  
uate in Ferguson Township, Clear-  
field County, Pennsylvania, being  
described as follows:

BEING that parcel bounded on the  
North by the New York Central Rail-  
road, now abandoned, on the  
South, West and the East by the  
coal company.

Containing four and one-half (4½)

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 29th day of March, A.D. 20 07,  
before me, the subscriber, a Notary Public in and for said County and  
State, personally appeared Margaret E. Krebs, who being duly sworn  
according to law, deposes and says that she is the President of The  
Progressive Publishing Company, Inc., and Associate Publisher of The  
Progress, a daily newspaper published at Clearfield, in the County of  
Clearfield and State of Pennsylvania, and established April 5, 1913, and  
that the annexed is a true copy of a notice or advertisement published in  
said publication in

the regular issues of March 22, 2007

And that the affiant is not interested in the subject matter of the notice or  
advertising, and that all of the allegations of this statement as to the time,  
place, and character of publication are true.

*Margaret E. Krebs*

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

*Cheryl J. Robison*  
Notary Public Clearfield, Pa.

My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007  
Member, Pennsylvania Association Of Notaries

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

SCOTT E. KUCHARCIK,

Plaintiff

VS.

NO. 2007-300-CD

ROY HEILMAN, his heirs,

successors and assigns,

ELLEN J. HOWARD, her heirs,

successors and assigns,

KELLY J. SLOPPY, his heirs,

successors and assigns, and/or any person

or entity claiming title in and to the herein

herein described premises under them,

Defendant

ACTION TO QUIET TITLE

CASE NUMBER: 2007-300-CD

TYPE OF CASE: Quiet Title Action

FILED ON BEHALF OF: Plaintiff

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

FILED No CC.  
0/11:204m  
APR 26 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

SCOTT E. KUCHARCIK,

Plaintiff

VS.

NO. 2007-300-CD

ROY HEILMAN, his heirs,

successors and assigns,

ELLEN J. HOWARD, her heirs,

successors and assigns,

KELLY J. SLOPPY, his heirs,

successors and assigns, and/or any person

or entity claiming title in and to the herein

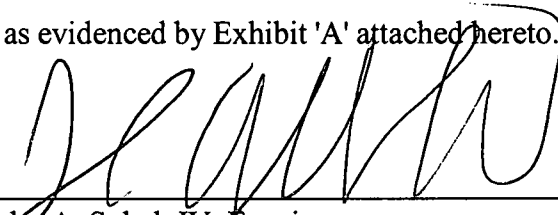
herein described premises under them,

Defendant

ACTION TO QUIET TITLE

**AFFIDAVIT**


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

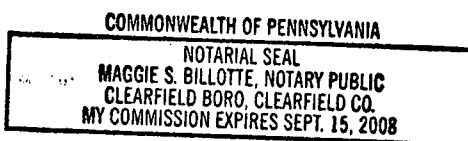
  
John A. Sobel, IV, Esquire  
Attorney for Plaintiff

Sworn to and subscribed

before me this 26th day

of April, 2007.

  
Notary Public



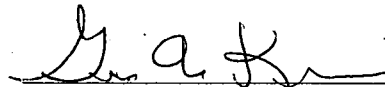
## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

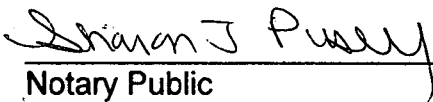
COUNTY OF CLEARFIELD :

On this 30th day of March AD 2007, 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 March 30, 2007, Vol. 19 No. 13. 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.



Notary Public  
My Commission Expires

NOTARIAL SEAL  
SHARON J. PUSEY, Notary Public  
Houtzdale, Clearfield County, PA  
My Commission Expires, April 7, 2011

John A. Sobel IV  
218 S 2<sup>nd</sup> St  
Clearfield PA 16830



**IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(CIVIL DIVISION)  
NO. 2007-300-CD**

SCOTT E. KUCHARCIK, Plaintiff, VS.  
ROY HEILMAN, his heirs, successors and  
assigns, ELLEN J. HOWARD, her heirs,  
successors and assigns, KELLY J.  
SLOPPY, his heirs, successors and assigns,  
and/or any person or entity claiming title in  
and to the herein herein described premises  
under them, Defendant.

**ACTION TO QUIET TITLE  
NOTICE**

TO THE ABOVE NAMED DEFENDANT  
her heirs, successors and assigns:

YOU HAVE BEEN SUED IN COURT. If  
you wish to defend against the claims set  
forth in the following pages, you must take  
action within twenty (20) days after this  
Complaint and Notice are served, by  
entering a written appearance personally or  
by attorney and filing in writing with the Court  
your defenses or objections to the claim set  
forth against you. You are warned that if you  
fail to do so, the case may proceed without  
further notice for any money claimed in the  
Complaint of for any other claim or relief  
requested by the 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 AF-  
FORD ONE, GO TO OR TELEPHONE THE  
OFFICE SET FORTH BELOW TO FIND  
OUT WHERE YOU CAN GET LEGAL  
HELP.

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

You are hereby notified that an Action to  
Quiet Title to all that certain piece or parcel  
of land situate in the Commonwealth of  
Pennsylvania, County of Clearfield,  
Township of Ferguson, having the Tax Map  
No. 113-G12-000-00048, and more  
particularly described as follows:

ALL that certain parcel of land situate in  
Ferguson Township, Clearfield County,  
Pennsylvania, being described as follows:

BEING that parcel bounded on the North  
by the New York Central Railroad, now  
abandoned, on the South, West and the  
East by the coal company.

Containing four and one-half (4 1/2)  
acres, more or less.

Further, the Court of Common Pleas of  
Clearfield County, Pennsylvania, did by  
Order executed the 1st day of March 2007,  
direct that notice of this action be served  
upon you by advertisement in the Clearfield

County Legal Journal and that if you do not  
appear or otherwise defend such action  
within thirty (30) days from the date of  
advertisement, you shall be, by appropriate  
order, forever barred from asserting any  
right, lien, title or interest or claim of the  
Plaintiff as set forth in his Complaint.

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

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

McCABE, WEISBERG AND CONWAY,  
P.C., BY: TERRENCE J. McCABE,  
ESQUIRE, Identification Number 16496,  
123 South Broad Street, Suite 2080,  
Philadelphia, Pennsylvania 19109, (215)  
790-1010, Attorney for Plaintiff.

U.S. Bank National Association v.  
Wendy J. Hockenburry And Fred A.  
Hockenburry.

Clearfield County Court of Common  
Pleas. Number 2007-39-CD

TO: Wendy and Fred Hockenburry

TYPE OF ACTION: CIVIL ACTION/  
COMPLAINT IN MORTGAGE FORE-  
CLOSURE.

PREMISES SUBJECT TO FORE-  
CLOSURE: 190 Eureka Street, Houtzdale,  
PA 16651.

**NOTICE**

If you wish to defend, you must enter a  
written appearance personally or by attorney  
and file your defenses 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 Plaintiff. You may  
lose money or property or other rights  
important to you.

YOU SHOULD TAKE THIS NOTICE TO  
YOUR LAWYER AT ONCE. IF YOU DO  
NOT HAVE A LAWYER, GO TO OR  
TELEPHONE THE OFFICE SET FORTH  
BELOW. THIS OFFICE CAN PROVIDE  
YOU WITH INFORMATION ABOUT  
HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A  
LAWYER, THIS OFFICE MAY BE ABLE TO  
PROVIDE YOU WITH INFORMATION  
ABOUT AGENCIES THAT MAY OFFER  
LEGAL SERVICES TO ELIGIBLE PER-  
SONS AT A REDUCED FEE OR NO FEE.

Lawyers Reference Service, Keystone  
Legal Services, 211½ East Locust Street,  
Clearfield, PA 16830, 814-765-9646.

County, PA on the first Monday in March, 2007.

The Accounts will be presented to the Orphans' Court for Confirmation NISI on the first Monday in April, 2007, and if no Objections or Exceptions are filed to the Account, it will be Confirmed Absolutely, as of course, without further notice by the Court in 10 days.

CNB Bank & Shirley McKee, Co-Guardians Estate of Lynn W. Queen, III, a minor.

Paul Daniel Schwiderske, Executor, Estate of Robert Schwiderske, late of Morrisdale, Clearfield County.

First & Partial Account, Thomas Charles McGill, Executor, Estate of Lois B. McGill, late of Coalport, Clearfield County.

Loretta Evansky, Executrix, Estate of Michael J. Evansky, late of Ramey, Clearfield County.

Thomas Robert Royer, Executor, Estate of Ida Lee Royer, late of Clearfield, Clearfield County.

Jean Irene Wilkinson, Administratrix, Estate of Donald E. Wilkinson, late of Bigler, Clearfield County.

Garry L. Harman, Executor, Estate of Sarah E. Harman, late of Curwensville, Clearfield County.

Lisa M. Kosut & Sandra K. Michaels, Co-Executrices, Edith M. Nearhood, late of Kylertown, Clearfield County.

CNB Bank, Executor, Estate of Lorraine F. Sawyer, late of New Millport, Clearfield County.

Fourth & Final Account, First Commonwealth Bank-Trust Division & Brenda L. Orsich, Co-Guardians Estate of Jennifer L. Weaver, a minor.

First & Partial Account, S & T Bank, Trustee of Josephine C. Carlson, T/U/W, FBO William A. Kail, late of Sandy Township, Clearfield County.

First & Partial Account, S & T Bank, Trustee of Josephine C. Carlson, T/U/W, FBO Robert E. Kail, late of Sandy Township, Clearfield County.

Bradley S. Cowie, Executor, Estate of Phyllis J. Cowie, late of Sandy Township, Clearfield County.

George P. Elias, Administrator C.T.A., Estate of Ann B. Garvin a/k/a Ann Garvin a/k/a Anne Garvin, late of DuBois, Clearfield County.

First & Partial Account, S & T Bank, Trustee, Donald Orris, T/U/W, FBO Matthew Orris, late of DuBois, Clearfield County.

KAREN L. STARCK, REG. OF WILLS & CLERK OF ORPHANS' COURT, P. O. Box 361, Clearfield, PA 16830.

ADV: March 23, 2007 & March 30, 2007.

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

PHILLIPS PRODUCTION COMPANY,  
Plaintiff, vs. JAMES CROSS, J. O. CROSS,  
JAMES BRINK and CLARK BRINK, their  
cumulative heirs, devisees, administrators,  
executors, assigns, and all other person,  
persons, firms, partnerships, or corporate  
entities in interest, Defendants.

No. 07-426-CD

**ACTION TO QUIET TITLE**

**NOTICE**

**TO THE DEFENDANTS: JAMES  
CROSS, J. O. CROSS, JAMES BRINK and  
CLARK BRINK, their cumulative heirs,  
devisees, administrators, executors, as-  
signs, and all other person, persons, firms,  
partnerships, or corporate entities in interest.**

TAKE NOTICE that at No. 07-426-CD, in  
the Court of Common Pleas of Clearfield  
County, Pennsylvania, Phillips Production  
Company, Plaintiff, filed this Complaint  
against you, your heirs, devisees, adminis-  
trators, executors, assigns, and all other  
person, persons, firms, partnerships, or  
corporate entities in interest, averring that it  
is the owner of an oil and gas leasehold  
estate covering 50 acres, more or less,  
situate in Chest Township, Clearfield  
County, Pennsylvania, bounded and  
described as follows:

BEGINNING at a post on tract line of  
Newton McCord; thence by the same, South  
39° 30' East 79.9 perches to a post in line of  
William Conley, thence by the same, South  
52° West 100.5 perches to a post; thence  
North 40° 45' West 79.9 perches to a post;  
thence North 52° East 100.5 perches by line  
of Frank McCully to post and place of  
beginning. CONTAINING 50 acres, 29.9  
perches.

KNOWN as the oil and gas underlying  
Clearfield County Assessment Parcel  
Number 109-F16-00066.

The Plaintiff claims absolute ownership  
in the said oil and gas leasehold estate; that  
the Plaintiff has instituted suit in order to  
have its interest in said oil and gas leasehold  
estate adjudicated and that the Defendants  
be forever barred from asserting any rights,  
lien, title or interest in the said oil and gas  
leasehold estate inconsistent with the  
interest of the Plaintiff as set forth in the  
Complaint.

**YOU ARE NOTIFIED TO APPEAR AND  
ANSWER THE SAID COMPLAINT ON SAID  
ACTION WITHIN TWENTY (20) DAYS OF  
THIS NOTICE, OTHERWISE, JUDGMENT  
WILL BE ENTERED AGAINST YOU  
BARRING YOU FROM ANY CLAIMS,  
RIGHTS, OR INTEREST INCONSISTENT  
THEREWITH.**

Michael S. Delaney, Esquire, 936  
Philadelphia Street, Indiana, PA 15701,  
Attorney for Plaintiff.



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

SCOTT E. KUCHARCIK,

Plaintiff

VS.

NO. 2007-300-CD

ROY HEILMAN, his heirs,

successors and assigns,

ELLEN J. HOWARD, her heirs,

successors and assigns,

KELLY J. SLOPPY, his heirs,

successors and assigns, and/or any person

or entity claiming title in and to the herein

herein described premises under them,

Defendant

ACTION TO QUIET TITLE

CASE NUMBER:

2007-300-CD

TYPE OF CASE:

Quiet Title Action

FILED ON BEHALF OF:

Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

JOHN A. SOBEL, IV, ESQUIRE

Supreme Court I.D. No. 31670

218 S. Second Street

Clearfield, PA 16830

(814) 765-5552

FILED

013:39/91  
MAY 09 2007

2cc  
Atty Sobel  
GR

William A. Shaw  
Prothonotary/Clerk of Courts

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

SCOTT E. KUCHARCIK,	:	
	:	
Plaintiff	:	
VS.	:	NO. 2007-300-CD
	:	
ROY HEILMAN, his heirs,	:	
successors and assigns,	:	
ELLEN J. HOWARD, her heirs,	:	
successors and assigns,	:	
KELLY J. SLOPPY, his heirs,	:	
successors and assigns, and/or any person	:	
or entity claiming title in and to the herein	:	ACTION TO QUIET TITLE
herein described premises under them,	:	
Defendant	:	

**ORDER**

AND NOW, this 9 day of May, 2007 it appearing that service of the Complaint in the above captioned case, with notice to plead, was served in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania, and an Affidavit having been filed with the Prothonotary as to attempts made to obtain information and the whereabouts of the Defendants, and it further appearing that no answer has been filed nor appearance entered by any of the said Defendants or their duly authorized representatives and more than twenty (20) days having elapsed since the advertisement thereof, it is hereby ORDERED as follows:

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

Clearfield County Tax Map No. 113-G12-000-00048:

**ALL** that certain parcel of land situate in Ferguson Township, Clearfield County, Pennsylvania, being described as follows:

**BEING** that parcel bounded on the North by the New York Central Railroad, now abandoned, on the South, West and the East by the coal company.

Containing four and one-half (4 ½) acres, more or less.

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

2. That if said above named Defendants, their heirs, successors and assigns, shall not have filed said exceptions within thirty (30) days, the Prothonotary, upon Praecipe of Plaintiff, shall enter final judgment for Plaintiff and against said named Defendants, their heirs, successors and assigns.

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

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

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

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

BY THE COURT,

  
JUDGE

FILED

MAY 09 2007

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 5/9/07

☒ 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)

SCOTT E. KUCHARCIK,

Plaintiff

VS.

NO. 2007-300-CD

ROY HEILMAN, his heirs,

successors and assigns,

ELLEN J. HOWARD, her heirs,

successors and assigns,

KELLY J. SLOPPY, his heirs,

successors and assigns, and/or any person

or entity claiming title in and to the herein

herein described premises under them,

Defendant

ACTION TO QUIET TITLE

CASE NUMBER: 2007-300-CD

TYPE OF CASE: Quiet Title Action

FILED ON BEHALF OF: Plaintiff

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

FILED No CC.

0/8:55 am

JUN 21 2007

WJ

William A. Shaw  
Prothonotary/Clerk of Courts

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

SCOTT E. KUCHARCIK,

Plaintiff

VS.

NO. 2007-300-CD

ROY HEILMAN, his heirs,

successors and assigns,

ELLEN J. HOWARD, her heirs,

successors and assigns,

KELLY J. SLOPPY, his heirs,

successors and assigns, and/or any person

or entity claiming title in and to the herein

herein described premises under them,

Defendant

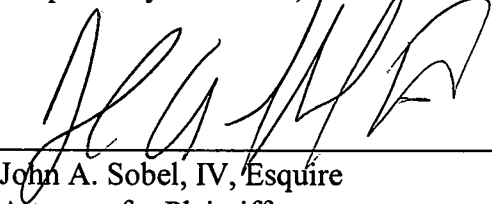
ACTION TO QUIET TITLE

**PRAECIPE TO ENTER FINAL JUDGMENT**

TO THE PROTHONOTARY:

Please enter a final judgment against the above named Defendants, their heirs, successors and assigns and on behalf of the above named Plaintiff for such relief as requested in an Order dated the 9th day of May, 2007.

Respectfully submitted,

  
\_\_\_\_\_  
John A. Sobel, IV, Esquire  
Attorney for Plaintiff

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

SCOTT E. KUCHARCIK,  
Plaintiff  
VS.

NO. 2007-300-CD

ROY HEILMAN, his heirs,  
successors and assigns,  
ELLEN J. HOWARD, her heirs,  
successors and assigns,  
KELLY J. SLOPPY, his heirs,  
successors and assigns, and/or any person  
or entity claiming title in and to the herein  
herein described premises under them,  
Defendant

ACTION TO QUIET TITLE

CASE NUMBER:

TYPE OF CASE:

TYPE OF PLEADING:

FILED ON BEHALF OF:

Quiet Title Action

COMPLAINT

Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

JOHN A. SOBEL, IV, ESQUIRE  
Supreme Court I.D. No. 31670  
218 S. Second Street  
Clearfield, PA 16830  
(814) 765-5552

*Original*

*to C/A-*

*w/ Aff. &*

*Motion*

William A. Shaw  
Prothonotary/Clerk of Courts

FILED  
MAR 01 2007

FILED

MAR 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

*sent to Atty*