

07-389-CD In Re: Dr. C. G.  
McNaul Map. J10-000-00001MN

In RE: CG McNaul et al  
2007-389-CD

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

IN RE: PROPERTY OF :  
DR. C. G. McNAUL heirs : No. 07-389-CD  
TAX MAP NO. J10-000-00001MN :  
: Type of Pleading:  
: **PETITION FOR STAY OF**  
: **PRIVATE TAX SALE**  
: Filed on Behalf of:  
: EDWARD WILSON  
: Counsel of Record for This Party:  
: Jeffrey S. DuBois, Esquire  
: Supreme Court No. 62074  
: 190 West Park Avenue, Suite #5  
: DuBois, PA 15801  
: (814) 375-5598

Original  
Upstairs

FILED Atty Pd. 85.00  
01/17/04  
MAR 13 2004 3:00 PM  
Atty  
William A. Shaw  
Prothonotary/Clerk of Courts DeBois

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IN THE COURT OF COMMON PLEAS OF  
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CIVIL DIVISION – LAW

IN RE: PROPERTY OF :  
DR. C.G. McNAUL Heirs : No. \_\_\_\_\_  
TAX MAP NO. J10-000-00001MN :  
: \_\_\_\_\_

**PETITION FOR STAY OF PRIVATE TAX SALE**

AND NOW, comes your Petitioner, Dr. Edward Wilson, by and through his attorney, Jeffrey S. DuBois, Esquire, who files this Petition for Stay of Private Tax Sale, and in support thereof avers as follows:

1. Dr. C.G. McNaul Heirs are the record owners of eighty (80%) percent interest in mineral rights in eighty one (81) acres on the tax rolls to Map No. J10-000-00001MN, located in Lawrence Township, Clearfield County, Pennsylvania.
2. Petitioner, Dr. Edward Wilson, of Harrisburg, Pennsylvania, is the surface owner of the subject eighty one (81) acres in question in this case.
3. Taxes on the aforementioned property have not been paid since on or about 1986.
4. The subject property was previously exposed to public tax sale with no person bidding the upset price.
5. The amount of back taxes currently owed for said mineral rights are in the amount of Three Thousand Two Hundred Thirteen and 31/100 (\$3,213.31) Dollars.
6. Your Petitioner has been notified by the Tax Claim Bureau that it has received and accepted a bid of Two Hundred and 00/100 (\$200.00) Dollars for the subject mineral

rights, which private sale has been scheduled for March 14, 2007, at 9:00 o'clock a.m. at the Tax Claim Bureau, 230 East Market Street, Clearfield, Pennsylvania, 16830.

7. Your Petitioner is prepared to pay the Tax Claim Bureau an amount larger than the bid price of Two Hundred and 00/100 (\$200.00) Dollars.

8. Specifically, Petitioner is willing to pay the Tax Claim Bureau the amount of Seven Hundred Fifty and 00/100 (\$750.00) Dollars.

9. The assessed value of the minerals on the tax rolls is Seven Hundred Sixty One and 00/100 (\$761.00) Dollars.

10. The current common level ratio for Clearfield County is 5.47.

11. The fair market value, based on the assessed value, is Three Thousand Forty Five and 00/100 (\$3,045.00) Dollars.

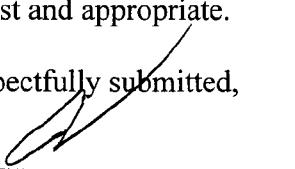
12. As set forth above, Petitioner is willing to pay the Tax Claim Bureau an amount over three (3) times the amount of the current bid, as the bid of Two Hundred and 00/100 (\$200.00) Dollars is grossly inadequate and insufficient as a matter of law.

13. The Petitioner is the surface owner and wishes to also own the mineral rights and more importantly, because he did not own the mineral rights and did not receive any tax notices, he was unaware of their delinquency.

WHEREFORE, your Petitioner respectfully requests this Honorable Court enter an Order providing the following: (1) Staying the Private Sale proceeding for March 14, 2007; (2) Schedule a Hearing at which time the Court may accept whatever evidence the parties may desire to present and the Court requires; (3) Provide for Notice of Stay to be given to the Tax Claim Bureau; (4) Provide for Notice of Hearing to the Tax Claim

Bureau, the proposed purchaser, so that the proposed purchaser, and any other interested parties may be notified; (5) Any other Order this Court deems just and appropriate.

Respectfully submitted,



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Jeffrey S. DuBois, Esquire  
Attorney for Petitioner

**VERIFICATION**

I, JEFFREY S. DUBOIS, Esquire, verify that the statements in the foregoing Petition for Stay of Private Tax Sale are true and correct to the best of my knowledge, information and belief. The undersigned is in possession of this information based on conversations with and representation of Defendant. Defendant is currently unavailable and a signed verification by Defendant will be submitted as soon as Defendant is in contact with the undersigned.

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



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Jeffrey S. DuBois, Esquire

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

IN RE: PROPERTY OF :  
DR. C.G. McNAUL Heirs : No. \_\_\_\_\_  
TAX MAP NO. J10-000-00001MN :

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 13 day of March, 2007, I served a true and correct copy of the within Petition for Stay of Private Tax Sale by first class mail, postage prepaid, on the following:

Tax Claim Bureau  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830



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Jeffrey S. DuBois  
Attorney for Plaintiff

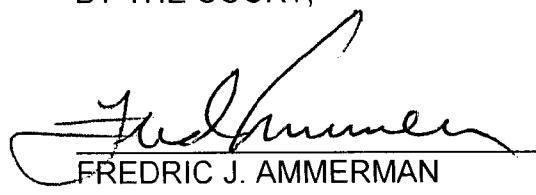
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE: PROPERTY OF \*  
DR. C.G. McNAUL heirs, \* No. 07-389-CD  
TAX MAP No. J10-000-00001MN \*

O R D E R

NOW, this 18<sup>th</sup> of April, 2007, it is hereby ORDERED and DECREED that the Tax Claim Bureau is directed to hold an auction between the current bidder and the Petitioner(s) regarding the above-captioned property; the opening bid will be no less than the current delinquent tax total or an amount determined by the Tax Claim Bureau Director to be an equitable bid. The sale to the current bidder is stayed until the results of the auction.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge

FILED *Att'y Dubois*  
04/22/2007 *cc Tax*  
APR 19 2007 *Claim*

William A. Shaw  
Prothonotary/Clerk of Courts

(6)