

2007-1123-CD  
Samuel Serian vs Wayne Bronson et al

07-1123-CD  
S.Serian vs E.W.Bronson et al

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

No. 2007-1123-C.D

Quiet Title

Complaint

Filed on behalf of  
Samuel Serian

Counsel of Record for this Party:  
Cindy L. Calarie  
Sup. ID 56652

422 Pine Hill Road  
Kittanning, PA 16201  
Telephone: (724) 543-3297  
Fax: (724) 543-1465

FILED

JUL 18 2007

~112.50/w

William A. Shaw  
Prothonotary/Clerk of Courts

2 cent - 1000

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

No.

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

Quiet Title

**NOTICE TO DEFEND AND CLAIM RIGHTS**

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.

David S. Meholic, Court Administrator  
(814) 765-2641, Ext. 5982  
Clearfield County Courthouse  
Clearfield, PA 16830

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v. : No.  
E. Wayne Bronson, Martha K. : Quiet Title  
Bronson, and James E. Jones  
Defendants

COMPLAINT

AND NOW come the Plaintiff, Samuel Serian, by and through his attorney, Cindy L. Calarie, Esquire, and brings this Complaint upon the following:

1. The Plaintiff, Samuel Serian, resides at P.O. Box 257, Rossiter, Pennsylvania.
2. The Defendant, E. Wayne Bronson, whose last known address was P.O. Box 928, Molalla, Oregon.
3. The Defendant, Martha K. Bronson., whose last address was P.O. Box 928, Molalla, Oregon.
4. The Defendant, James E. Jones, whose last address was P.O. Box 928, Molalla, Oregon.
5. The Plaintiff, Samuel Serian, is owner of the real property, oil and gas situate in Bell Township, Clearfield County, Pennsylvania by virtue of a Deed from The Tax Claim Bureau of Clearfield County, dated November 20, 2000 and recorded in Clearfield County Instrument No. 2000017387, said lands being bounded and described as follows:

*All that certain piece, parcel or tract of land including petroleum, oil and gas located in the Township of Bell, County of Clearfield and State of Pennsylvania which is bounded and described as follows:*

**#102. A07-000-00005**  
**93.5 acres**

6. The property was sold at Tax Claim No. 98-2040 and was confirmed by the Court of Common Please of Clearfield County at 00-1275-CD. Notification was sent to E. Wayne Bronson, Martha K. Bronson and James E. Jones at P.O. Box 928, Molalla, Oregon 97038.

7. Plaintiff believes that all of the Defendants listed in #2, #3, and #4 are deceased, and after thorough investigation, the identity and whereabouts of the Defendants, their heirs, successors and assigns are unknown.

8. A cloud exists on Plaintiffs' title to the realty and oil and gas rights described in paragraph 6 above because title to said real property, oil and gas passed by the Tax Claim Bureau of Clearfield County dated November 20, 2000 through the chain of title described in paragraph #6. The tract of land, oil and gas may have gone through a Treasurer's Sale without proper notice to the Defendants constituting a cloud on the title on the above described tract. Further, the failure to specifically list the property on the Commissioner's Deed may constitute a cloud on the title to the above described tract of land and oil and gas.

9. Defendants have no claim nor can they assert an interest or interests therein adverse to the Plaintiff; further that the claims of said Defendants are without any right whatsoever; that the said Defendants are without any rights whatsoever; that the said Defendants have no, nor has any of them, any estate, right, title, or interest, whatsoever in said real property, oil and gas or any part thereof.

WHEREFORE, Plaintiff prays that the Defendants, and also all other persons unknown, claiming any right, title, estate, lien or interest in the real property, oil and gas rights described in the Complaint adverse to the Plaintiff's

ownership, or any cloud upon Plaintiff's title thereto, may be required to set forth the nature of their several claims; that all adverse claims of the Defendants, or any of them, may be determined by the decree of this Court; that said decree be declared and adjudged that the Plaintiff is the owner of said real property and oil and gas rights; that Defendants, or any of them, have no estate or interest whatsoever in or to said oil and gas rights; that the Defendants, each and every one of them, be forever barred from asserting any claim whatsoever in or to said real property and oil and gas adverse to Plaintiff and for such other and further relief as the Court deems just and proper.

Respectfully submitted,



Cindy L. Calarie  
Attorney for Plaintiff

5/8/07

**VERIFICATION**

I, Samuel Serian, verify that the statements made in this Complaint to Quiet Title are true and correct to the best of our knowledge, information and belief. We understand that false statements herein contained are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Samuel Serian  
\_\_\_\_\_

FILED

JUL 18 2007

William A. Shaw  
Prothonotary/Clerk of Courts

CLERK'S OFFICE

CLERK'S OFFICE

THE HONORABLE JUDGE OF THE COMMONS COURTS OF PENNSYLVANIA, AND THE JUDGE OF  
THE MUNICIPAL COURT, IN AND FOR THE CITY OF PHILADELPHIA, AND THE JUDGE OF THE  
COURT OF COMMON PLEAS OF PHILADELPHIA, AND THE JUDGE OF THE COURT OF COMMON PLEAS OF  
PHILADELPHIA, AND THE JUDGE OF THE COURT OF COMMON PLEAS OF PHILADELPHIA, AND THE JUDGE OF

REPLACEMENT

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

CR  
: No. 2007 - 01123- CD

: Quiet Title

: Motion for Service by Publication

: Filed on behalf of Samuel Serian

: Counsel of Record for this Party:

: Cindy L. Calarie

: Sup. ID 56652

: 422 Pine Hill Road

: Kittanning, PA 16201

: Telephone: (724) 543-3297

: Fax: (724) 543-1465

FILED acc A/H Calarie  
m/11/2007  
JUL 25 2007  
WS

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian :  
Plaintiff, :  
: v. : No. 2007 – 01123 - CD  
E. Wayne Bronson, Martha K. : Quiet Title  
Bronson, and James E. Jones :  
Defendants :  
:

**Motion for Service by Publication**

AND NOW come the Plaintiff, Samuel Serian, by and through his attorney, Cindy L. Calarie, and brings this Motion upon the following:

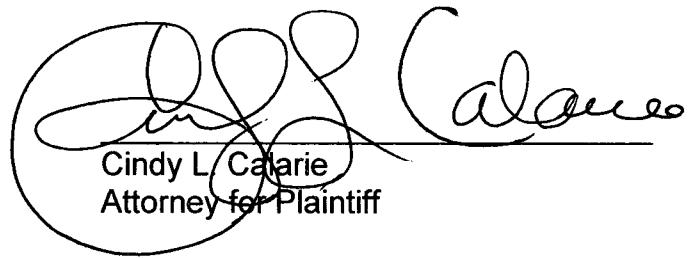
1. Plaintiff has filed an action to quiet title naming as Defendants: E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and assigns, or any other unknown persons or entities claiming any right, title estate, lien or interest in the real property described in Plaintiff's Complaint to Quiet Title.
2. In the Complaint, the Plaintiff alleges that the Defendants named are deceased or may be deceased, and Plaintiff does not know the identity or whereabouts of all of the heirs, executors, administrators and assigns of the named Defendants.
3. Plaintiffs have made a thorough investigation of the whereabouts of the Defendants by review of the records in the Office of the Recorder of Deeds of Clearfield County, the Office of the Register of Wills of Clearfield County, the assessment and mapping offices of Clearfield County, the voter registration records of Clearfield County as well as the various search engines of the internet, including but not limited to anywho.com, and Pennsylvania business entities. This investigation did not reveal any references to the Defendants named in the quiet title action or their heirs.

4. Pursuant to Pennsylvania Rule of Civil Procedure, Rule 430(b)(2):

"When service is made by publication upon the heirs and assigns of a named former owner or party in interest, the court may permit publication against the heirs or assigns generally if it is set forth in the Complaint or an Affidavit that they are unknown."

WHEREFORE, Plaintiffs prays your Honorable Court to enter an Order authorizing service by publication upon the named Defendants, their heirs, executors, administrators and assigns in accordance with the Rules of civil Procedure.

Respectfully submitted,



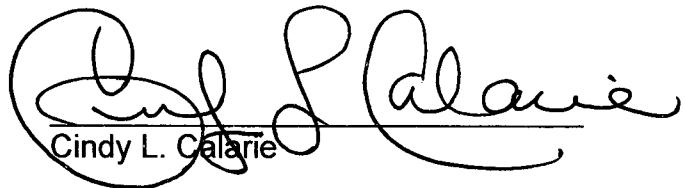
Cindy L. Calarie  
Attorney for Plaintiff

**AFFIDAVIT**

Commonwealth of Pennsylvania

County of Armstrong

Before me, a Notary Public, personally appeared Cindy L. Calarie, Esquire, who, being duly sworn according to law, deposes and says that she is filing on behalf of Samuel Serian and that he cannot personally make verification of the foregoing due to his unavailability at the time this document was completed and prior to the date for its filing, and that the facts set forth in this document are based upon information provided by him for the purpose of preparing this document.



A circular notary seal containing a stylized 'C' and 'L' logo, followed by the name 'Cindy L. Calarie' in a cursive script.

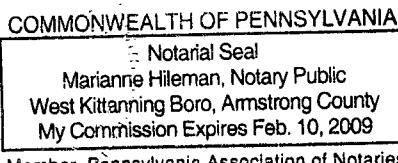
Sworn to and subscribed before me

This 23rd day of July, 2007.



A large, handwritten signature of Marianne Hileman.

Marianne Hileman  
Notary Public



Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

No. 2007 - 01123- CD

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

Quiet Title

ORDER OF COURT

AND NOW this 27 day of July, <sup>2007</sup> ~~2007~~ <sup>FJA</sup>, upon consideration  
of the attached Motion, IT IS HEREBY ORDERED AND DIRECTED that  
Plaintiffs be and are hereby authorized to service the Complaint to Quiet Title  
upon the Defendants named above, their heirs, executors, administrators and  
assigns, in the Courier-Express and the Clearfield County Legal Journal in  
accordance with the provisions of Pennsylvania Rules of Civil Procedure  
430(b)(1).

BY THE COURT:



FILED <sup>cc</sup>  
07/24/07 Atty Calane  
JUL 30 2007  
(60)

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

: No. 2007 - 01123 - CD

: Quiet Title

: MOTION FOR DEFAULT JUDGMENT

: Filed on behalf of Samuel Serian

: Counsel of Record for this Party:

: Cindy L. Calarie

: Sup. ID 56652

: 422 Pine Hill Road

: Kittanning, PA 16201

: Telephone: (724) 543-3297

: Fax: (724) 543-1465

FILED 2CC  
mli 18/07 SEP 28 2007 Atty Calarie  
GK

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

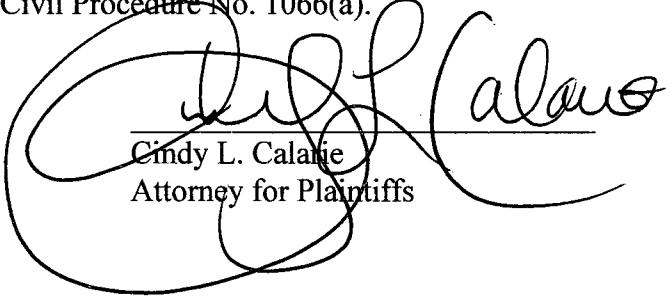
v. : No. 2007 -01123- CD  
E. Wayne Bronson, Martha K. : Quiet Title  
Bronson, and James E. Jones  
Defendants

**MOTION FOR DEFAULT JUDGMENT**

AND NOW comes the Plaintiff, Samuel Serian, by and through his attorney, Cindy L. Calarie, and brings this Motion for Default Judgment against Defendants and in support thereof aver the following:

1. This is an action in Quiet Title in which Plaintiffs' request that Defendants referenced above be permanently enjoined and restrained from asserting any claim or interest in or to oil and gas underlying lands described in Plaintiffs' Complaint.
2. Attached as Exhibit A is an Affidavit stating that a Complaint containing a Notice to Defend has been served and Defendants have not filed an Answer.
3. Pennsylvania Rule of Civil Procedure No. 1066(a) permits the Court to grant appropriate relief on Affidavit that a Complaint containing Notice to Defend has been served and Defendants have not filed an Answer.

WHEREFORE, Plaintiffs request this Court to enter an Order of Default Judgment against Defendants referenced above, their heirs, executors, administrators and assigns, pursuant to Pennsylvania Rule of Civil Procedure No. 1066(a).

  
Cindy L. Calarie  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v. : No. 2007 -01123 - CD

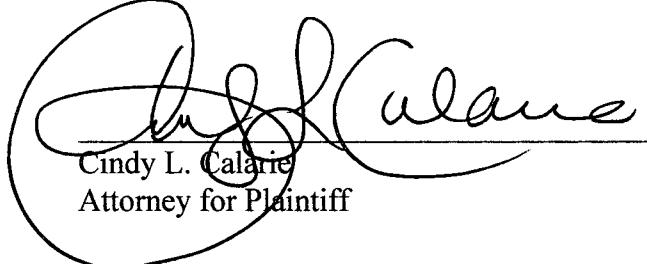
E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants : Quiet Title

**AFFIDAVIT OF DEFAULT**

Cindy L. Calarie, Attorney at Law, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiffs in this action and that she makes this Affidavit on behalf of the Plaintiffs, being authorized to do so:

1. A Complaint in this Action to Quiet Title containing a Notice to Defend was filed on July 18, 2007.
2. That a Motion for Service by Publication was filed and, by Order of Court dated July 25, 2007, the Court directed that Service of the Complaint to Quiet Title be made by publication in the Courier Express and the Clearfield County Legal Journal in accordance with the provisions of Pennsylvania Rules of Civil Procedure 430(b)(1)
3. That Notice of the Action to Quiet Title was published in the Clearfield County Legal Journal on August 10, 2007.
4. That Notice of the Action to Quiet Title was published in the Courier Express on August 10, 2007.
5. That Proofs of Publication of the Notice of the Action to Quiet title in the Indiana Law Journal and the Indiana Gazette are attached hereto and made a part of this Motion.

6. That the Complaint and the Notice of said action contained a Notice to Defend within twenty (20) days of service.
7. That more than twenty (20) days has elapsed since the publication of said Notice pursuant to Order of Court.
8. That to date none of the Defendants has filed an answer in this action.



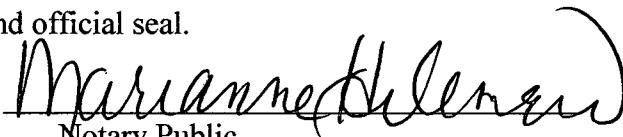
Cindy L. Calarie  
Attorney for Plaintiff

Commonwealth of Pennsylvania:

County of Armstrong :

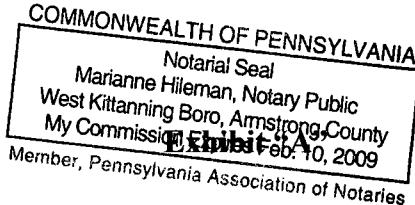
On this, the 25<sup>th</sup> day of September, 2007, before me, a Notary public, the undersigned officer, personally appeared **CINDY L. CALARIE** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

In Witness Whereof, I set my hand and official seal.



Marianne Hileman  
Notary Public

My commission expires:



## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

:

COUNTY OF CLEARFIELD : :

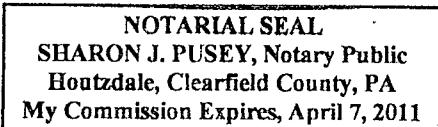
On this 10th day of August AD 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of August 10, 2007, Vol. 19, No. 32. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire  
Editor

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

Sharon J. Pusey  
Notary Public  
My Commission Expires



Cindy L. Calarie  
422 Pine Hill Road  
Kittanning PA 16201

**EXPLANATION OF NOTICE APPEARING IN THE  
CARRIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT  
PUBLISHED BY McLEAN PUBLISHING COMPANY,  
DUBOIS PENNSYLVANIA  
Under act 587, Approved May 16, 1929, P.L. 1784**

**STATE OF PENNSYLVANIA  
COUNTY OF CLEARFIELD**

ss:

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

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

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

By Frank Smith

Sworn and subscribed to before me this 15th day of Aug., 2007

**NOTARY PUBLIC**

NOTARY PUBLIC

### Statement of Advertising Cost

## ESTABLISHING C

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

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

TO **Cindy L. Calarie**

For publishing the notice or advertisement

attached hereto on the above stated dates.....

Probating same ..... **\$7.50**

Total **\$323.85**

### **Publisher's Receipt for Advertising Costs**

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

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

Established 1879. Phone 814-371-4200

McLEAN PUBLISHING COMPANY

Publisher of

## **COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By

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

ATTORNEY FOR

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

FILED *acc*  
09/13/07 Atty  
OCT 02 2007 Calarie

William A. Shaw  
Prothonotary/Clerk of Courts *(GK)*

Samuel Serian  
Plaintiff,

v. : No. 2007 - 01123 - CD.

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants : Quiet Title

**ORDER FOR ENTRY OF DEFAULT  
JUDGMENT TO QUIET TITLE**

AND NOW this 28 day of Sept, 2007, an Affidavit of Service of the Complaint with Notice to Plead having been filed and no Answer having been made by Defendants, upon consideration of the Motion of the Plaintiffs pursuant to Pa. R.C.P. No. 1066(a), IT IS HEREBY ORDERED that a judgment by default be and is hereby entered against Defendants referenced above, their heirs, executors, administrators and assigns, directing said Defendants and any person claiming under them are permanently enjoined and restrained from asserting any claim or interest in or to the oil and gas underlying the following described real estate or any part thereof:

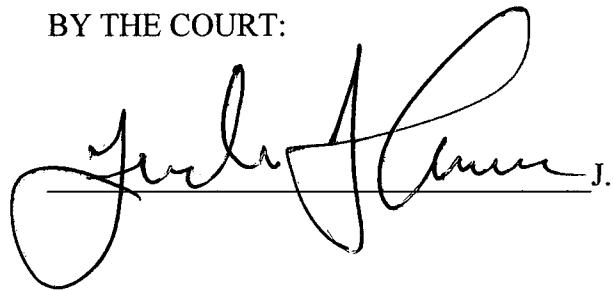
*All that certain piece, parcel or tract of land including petroleum, oil and gas located in the Township of Bell, County of Clearfield and State of Pennsylvania which is bounded and described as follows:*

**#102. A07-000-00005  
93.5 acres**

The Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs or assigns. Or any other unknown persons or entities claiming any right, title, estate, lien or interest in the real property described in Plaintiffs' Complaint to Quiet Title, are barred

from asserting any right, title or interest in the above property inconsistent with the interest of or claim of the Plaintiffs as set forth, in their Complaint unless Defendant commence an ejectment action against the Plaintiffs within thirty (30) days of the date hereof.

BY THE COURT:

A handwritten signature in black ink, appearing to read "John J. Flanagan", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'J' at the beginning.

**FILED**

**OCT 02 2007**

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

DATE: 10/2/07

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  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

No. 2007 - 01123-CD

Quiet Title

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William A. Shaw  
Prothonotary/Clerk of Courts  
1. Went to Plaintiff  
+ Received L  
1. Went to  
WTR

**PRAECIPE FOR JUDGMENT BY DEFAULT**

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

1. The Plaintiff filed a Complaint for Quiet Title on July 18, 2007..
2. That Plaintiff also filed a Motion for Special Order Directing the Method of Service pursuant to Pa. R.C. P. 430, and 410, which Motion was granted by Order of Court dated July 27, 2007.
3. That pursuant to said Order of Court dated July 27, 2007, Plaintiffs did cause service of said Complaint/Notice to be made as follows:
  - a. That Plaintiffs did cause the Legal Notice approved as part of said Motion and Order of Court to be published once in the Clearfield Law Journal, the legal publication of legal notices in Clearfield County on August 10, 2007 and once in the Courier-Express, a newspaper of general circulation within Clearfield County on August 10, 2007, as is documented by the Proofs of publication filed at the above captioned number and term.
  4. That on or about September 28, 2007, your Honorable Court entered an Order of Court in the above captioned matter providing that should the Defendants not take any action within thirty (30) days of the date of service of said Order, the Prothonotary of Clearfield County shall be and was thereby authorized, upon Praecipe of the Plaintiffs, to enter Final Judgment in accordance with the Plaintiff's Prayer for Relief in favor of the

Plaintiffs and as against any such Defendants, their heirs, successors and/or assigns, who had failed to appropriately respond.

5. That the requisite time period for the filing of appearances, defenses and/or objections has passed, and no appearances, defenses and/or objections have been entered/filed.

6. That based upon the above, Plaintiffs respectfully pray that pursuant to the Order of Court dated September 28, 2007, final Judgment be entered with regard to all Defendants, their heirs, successors and/or assigns, as follows:

a. The Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns, are forever barred from asserting any right, lien, title or interest in the real property that is the subject of this Action inconsistent with the interest or claim of the Plaintiffs as set forth in its Complaint.

b. That the Plaintiff, Samuel Serian, is the owner of good and marketable title to the oil and gas rights which is the subject of the above-captioned Action free and clear of any and all claims, rights, title and/or interests of the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns.

c. That for the purpose of determining good and marketable title to said oil and gas underlying the real property described as *All that certain piece, parcel or tract of land including petroleum, oil and gas located in the Township of Bell, County of Clearfield and State of Pennsylvania which is bounded and described as Tract No. #102. A07-000-00005 containing 93.5 acres* upon the records of Clearfield County shall be deemed to reflect the following:

(1) That any and all rights that the said Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns, may have had for the sale/purchase of the oil and gas that is the subject of this Action situate in Young Township, Clearfield County, Pennsylvania, have expired and said interest in the oil and gas is null and void as far as the same concerns the Plaintiffs, their heirs, successors and/or assigns, and the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns, have no right and/or claim to the oil and gas rights that is the subject of this Action, and that Plaintiffs are the owners of said oil and

gas free and clear of any and all right, title claim and/or interest by the said Defendants, their heirs, successors and/or assigns:

(2) That the oil and gas may have gone through a Treasurer's Sale without proper notice to the Defendants constituting a cloud on the title on the above described tract. Further, the failure to specifically list the property on the Commissioner's Deed may constitute a cloud on the title to the above described tract of land and oil and gas.

d. That for the purpose of determining good and marketable title to said property, the parties who have executed documents in Plaintiffs' chain of title shall be deemed to have been all parties having any interest in said oil and gas rights derived through the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, or in the alternative, the duly authorized agents of each party for the purposes of conveying any such interest in said oil and gas rights to the Plaintiffs, and that said conveyances operate to convey good and marketable title to any and all right, title, interest and/or claim of the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns to the Plaintiffs and that Plaintiffs are the owner of said real property, free and clear of any and all right, title, claim and/or interest of the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns.

e. That for the purpose of determining good and marketable title, the Plaintiffs, have been in actual, continued, open, exclusive, notorious and hostile possession of the oil and gas rights that is the subject of this Action, and has held said oil and gas rights in a continuous, open, hostile, exclusive, and notorious manner, to the exclusion of, and adverse to, all of the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, the Defendants' predecessors, their heirs, successors and/or assigns, for a period in excess of twenty-one (21) years.

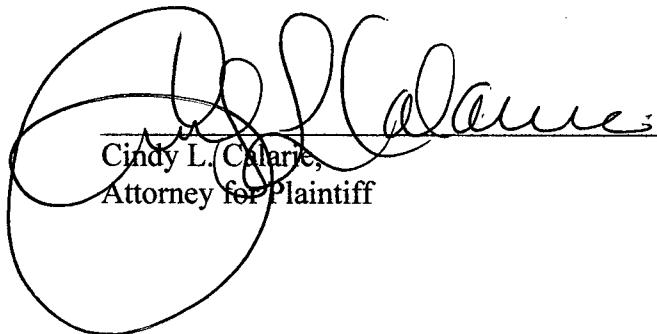
f. That for the purpose of determining good and marketable title, the Plaintiffs have superior title and/or priority in ownership to the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns by virtue of the concept of adverse possession.

g. That for the purpose of determining good and marketable title, Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or

assigns are barred from maintaining any Action in Ejectment and/or otherwise questioning the superiority or priority of the Plaintiff's legal title to said property based upon the Statute of Limitations.

h. That for the purpose of determining good and marketable title, the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns are barred from maintaining any Action in Ejectment and otherwise questioning the superiority or priority of the Plaintiff's title to said property based upon the concept of Laches.

i. That for the purpose of determining good and marketable title, the Defendants, E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs, successors and/or assigns are estopped from maintaining any Action in Ejectment and/or any other action claiming any title and/or interest that is superior to and/or having priority status to that of the Plaintiff.



Cindy L. Calarie,  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Samuel Serian  
Plaintiff,

v.

No. 2007 - 01123-CD

E. Wayne Bronson, Martha K.  
Bronson, and James E. Jones  
Defendants

Quiet Title

**AFFIDAVIT**

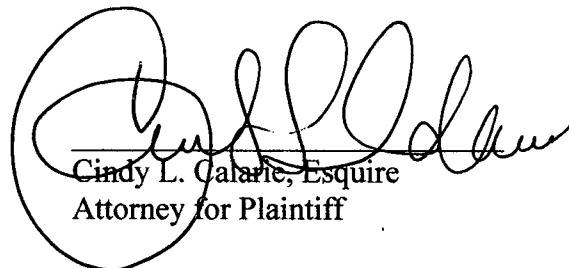
Commonwealth of Pennsylvania:

: ss

County of Armstrong

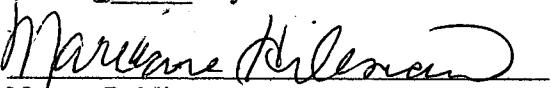
:

Before me, the undersigned authority, personally appeared Cindy L. Calarie, Esquire, who deposes and says that she filed a Complaint in the above captioned matter containing a Notice to Defend and that pursuant to Order of Court, that Complaint was served on E. Wayne Bronson, Martha K. Bronson and James E. Jones, their heirs or assigns, by publication in the Clearfield Law Journal and the Clearfield Gazette on August 10, 2007. The Defendants did not file an Answer or other responsive pleading and affiant further deposes and says that a Default Notice was served upon the Defendants by publication in the Clearfield County Legal Journal on October 29, 2007 and the Courier Express on October 11, 2007, and the Defendants have not filed an Answer or other responsive pleadings and more than thirty (30) days having since elapsed. Copies of the Proofs of Publication and Service are attached hereto and incorporated herein by reference.



Cindy L. Calarie, Esquire  
Attorney for Plaintiff

Sworn to and subscribed before  
Me this 30<sup>th</sup> day of November 2007.



Marianne Hileman  
Notary Public

My Commission expires:

COMMONWEALTH OF PENNSYLVANIA	
Notarial Seal	
Marianne Hileman, Notary Public	
West Kittanning Boro, Armstrong County	
My Commission Expires Feb. 10, 2009	

Member, Pennsylvania Association of Notaries

at 849-6737  
ICATION OF NOTICE APPEARING IN THE  
-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT  
PUBLISHED BY McLEAN PUBLISHING COMPANY,  
DUBOIS PENNSYLVANIA

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

STATE OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

SS:

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

11th day of October A.D., 2007

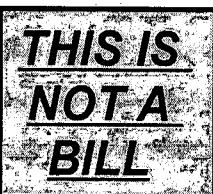
Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested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

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

By Linda Smith

Sworn and subscribed to before me this 22nd day of Oct., 2007

Robin M. Duttry  
NOTARY PUBLIC



Statement of Advertising Cost  
**McLEAN PUBLISHING COMPANY**

Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/  
JEFFERSONIAN DEMOCRAT**  
DuBois, PA

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

TO

Cindy L. Calarie

For publishing the notice or advertisement	
attached hereto on the above stated dates.....	<u>\$239.40</u>
Probating same.....	<u>\$7.50</u>
Total.....	<u>\$246.90</u>

**Publisher's Receipt for Advertising Costs**

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

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

Established 1879, Phone 814-371-4200

**McLEAN PUBLISHING COMPANY**

Publisher of

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

By

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

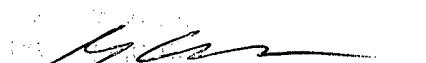
ATTORNEY FOR

## PROOF OF PUBLICATION

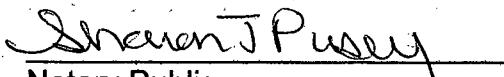
STATE OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

On this 19th day of October 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 October 19, 2007, Vol. 19, No. 42. 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  
Hontzdale, Clearfield County, PA  
My Commission Expires, April 7, 2011

Cindy L Calarie Esquire  
422 Pine Hill Road  
Kittanning PA 16201