07-1450-CD
Phillips Production vs Susie Hutton

PHILLIPS PRODUCTION COMPANY, Plaintiff, vs. SUSIE HUTTON, her heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, Defendants.	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA CIVIL ACTION - LAW No. 07-1450-CD ACTION TO QUIET TITLE

Type of Pleading:

Complaint in Action to Quiet Title

Filed on behalf of:

Phillips Production Company, Plaintiff

Counsel of Record for This Party:

Michael S. Delaney, Esquire
936 Philadelphia Street
Indiana PA 15701
(724) 349-2255
ID #25537

FILED Atty pd. 95.00
m/2:31 pm
SEP 06 2007
1cc Atty
William A. Shaw
Prothonotary/Clerk of Courts

ORIGINAL

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. _____
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

NOTICE

TO THE DEFENDANTS:

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a 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
1 N. 2nd Street
Clearfield, Pennsylvania 16830
TELEPHONE: (814) 765-2641, Ext. 5982

BY _____
MICHAEL S. DELANEY, ESQUIRE
Attorney for Plaintiff

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. _____
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

COMPLAINT

Phillips Production Company, Plaintiff, by and through its attorney, Michael S. Delaney, Esquire, brings this Action to Quiet Title upon a cause of action of which the following is a concise statement:

1. The Plaintiff, Phillips Production Company, is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 502 Keystone Drive, Warrendale, Pennsylvania, 15086.

2. After diligent search, the Plaintiff is unable to discover the whereabouts or identity of any other individuals, except the above-listed Defendants, who should be included in this action as proper party defendants.

3. The property that is subject to this Quiet Title Action is as follows:

ALL the oil and gas leasehold estate in and underlying those certain tracts of land situate in Chest Township, Clearfield County, Pennsylvania, bounded and described as follows:

FIRST TRACT:

BEGINNING at a stone; thence by land of John Pennington, North 88-1/2° East 15 perches to a stone at public road; thence by land of M. J. McLaughlin, South 5° West 68 perches to a stone; thence by land of Curry & Shook, North 86° West 30 perches to stone or Sugar; thence by land of J. K. K. Shook, North 5° East 43 perches to a stone; thence by land of John Pennington, South 86° East 15 perches to a stone near a pine stump; thence by land of said John Pennington, North 5° East 24 perches to a stone and place of beginning. CONTAINING 10 acres, 57 perches.

SECOND TRACT:

BEGINNING at a corner of land of Susie Hutton; thence North 7° East 69 perches to a post corner on the south side of the public road leading to Five Points; thence near the center of said public road, North 88-1/2° East 46.5 perches to an iron post; thence South 7° West 77 perches to an iron post; thence North 85° West 46 perches to the place of beginning. CONTAINING 20 acres, 106 perches.

KNOWN as the oil and gas leasehold estate underlying Clearfield County Assessment Parcel Number 109-E15-32.

4. That an Abstract of Plaintiff's leasehold estate to said oil and gas is attached hereto, marked Exhibit "A", and made a part hereof.

5. As set forth at Item Number 8 of the Abstract, by deed dated May 16, 1899, and recorded in Clearfield County in Deed Book Volume 243, page 137, Mercy Jane McLaughlin and Samuel McLaughlin, her husband, granted and conveyed to Susie Hutton the surface and oil and gas underlying 10 acres, 57 perches, Chest Township.

6. As indicated at Item Number 6 of the Abstract, by deed dated November 16,1911, and recorded in Clearfield County in Deed Book Volume 213, page 65, William McLaughlin and Ella McLaughlin, his wife, granted and conveyed to Susie Hutton the surface and oil and gas underlying 20 acres, 106 perches, Chest Township..

7. As indicated at Item Number 4 of the Abstract, by deed dated November 12, 1937, and recorded in Clearfield County in Deed Book Volume 346, page 355, H. F. Bigler, Jr., Treasurer of Clearfield County granted and conveyed to Clearfield County Commissioners 30 acres, seated land, assessed in the name of Susie Hutton Estate for real estate taxes for the years 1932 - 1935.

8. As indicated at Item Number 3 of the Abstract, by deed dated April 5, 1943, and recorded in Clearfield County in Deed Book Volume 346, page 354, the Clearfield County Commissioners granted and conveyed to M. L. Silberblatt the subject 30 acres assessed in the name of Susie Hutton Estate for unpaid real estate taxes.

9. As indicated at Item Number 1 of the Abstract, the subject tract of land is now owned by the Heirs of William T. Mahaffey as stated therein.

10. That by Oil and Gas Lease dated July 17, 2004, and recorded in Clearfield County at Instrument Number 2004-14946, Harriet L. Mahaffey, Rebecca Mahaffey Latimer, Kathryn R. Mahaffey and Deborah M. Westover granted and conveyed an Oil and Gas Lease to the Plaintiff, Phillips Production Company, covering 168 acres, of which the subject tract is a part, for an initial term of three (3) years.

11. That by virtue of the chain of title as set forth in the Abstract of Title and by virtue of the Oil and Gas Lease hereinabove stated, the oil and gas leasehold estate underlying the subject tract of land is owned by the Plaintiff, Phillips Production Company.

12. That this action is brought to clear any and all possible clouds on the title to the oil and gas leasehold estate underlying the tract of land described in paragraph 3 above, which the herein named Defendant, her heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest or their legal representatives may possess.

13. That this action is found upon the general powers of the Court to quiet title.

WHEREFORE, the Plaintiff requests the Court to decree that the oil and gas leasehold estate in the said oil and gas is in the name of the Plaintiff, Phillips Production Company, and that the named Defendant, her heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships, or legal representatives be forever barred from asserting any title to the said oil and gas leasehold estate, or for impeaching, denying or in any other way attacking the Plaintiff's leasehold estate to the said oil and gas underlying the said premises.

BY: Michael S. Delaney
MICHAEL S. DELANEY, ESQUIRE
Attorney for Plaintiff

EXHIBIT "A"

ITEM NUMBER 1 | **ESTATE**

William T. Mahaffey
File No. 3090

Died May 5, 1957, intestate

Heirs: widow: Harriet L. Mahaffey (1/3 interest)
children: Kathryn Rose Mahaffey (2/9 interest)
Rebecca Mahaffey (2/9 interest)
Deborah Mahaffey (2/9 interest)

ITEM NUMBER 2 | **DEED**

M. L. Silberblatt, Julia ux

to

William T. Mahaffey

Dated: June 14, 1943
Acknowledged: June 14, 1943
Recorded: June 14, 1943
Deed Book Volume 351age 38
Consideration: $85.00
Quit-Claim Deed
Signed, sealed and delivered

CONVEYS: 30 acres, seated land.

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Assessed in name of Susie Hutton Estate; Commissioners deed to be recorded.

ITEM NUMBER 3	DEED
Clearfield County Commissioners to M.L. Silberblatt	Dated: April 5, 1943 Acknowledged: April 10, 1943 Recorded: June 14, 1943 Deed Book Volume 346, Page 354 Consideration: $82.37 Commissioners' Deed Signed, sealed and delivered

---

CONVEYS: 30 acres, assessed in name of Susie Hutton Estate.

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Treasurer's Deed dated December 31, 1937.

ITEM NUMBER 4	DEED
H. F. Bigler, Jr., Treasurer of Clearfield County to Clearfield County Commissioners	Dated: November 12, 1937 Acknowledged: March 3, 1938 Recorded: June 14, 1943 Deed Book Volume 346, Page 355 Consideration: $46.97 Treasurer's Deed Signed, sealed and delivered

---

CONVEYS: 30 acres, seated land.

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Assessed in the name of Susie Hutton Estate and sold for 1932 - 1935 taxes.

ITEM NUMBER 5

Susie Hutton Died _____

No estate found of record in Clearfield County.

ITEM NUMBER 6

William McLaughlin, Ella ux

to

Susie Hutton

DEED

Dated: November 16, 1911
Acknowledged: November 16, 1911
Recorded: January 27,1916
Deed Book Volume 213, Page 65
Consideration: $1.00
General Warranty Deed
Signed, sealed and delivered

CONVEYS: Undivided 1/2 interest in 20 acres, 106 perches (see copy for description).

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Marcy Jane McLaughlin died intestate survived by Susie McLaughlin (now Hutton) and William McLaughlin.

ITEM NUMBER 7

Mercy or Marcy Jane McLaughlin Died _____

No estate of record in Clear field County.

Per recital in DBV 213, page 65, she died intestate, survived by William McLaughlin and Susie McLaughlin Hutton.

ITEM NUMBER 8	DEED
Mercy Jane McLaughlin, Samuel vir to Susie Hutton	Dated: May 16, 1899 Acknowledged: May 16, 1899 Recorded: September 7, 1920 Deed Book Volume 243, Page 137 Consideration: $1.00 General Warranty Deed Signed, sealed and delivered

---

CONVEYS: 10 acres, 57 perches (see copy for description).

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Being part of larger tract.

ITEM NUMBER 9	DEED
P. A. Gaulin, Mary A. Reilly, Executors under will of Thomas Reilly to Mercy Jane McLaughlin	Dated: April 13, 1883 Acknowledged: April 13, 1883 Recorded: April 16, 1884 Deed Book Volume 31, Page 370 Consideration: $300.00 Executor's Deed Signed, sealed and delivered

---

CONVEYS: 65 acres.

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Conveyed to Thomas Reilly in his lifetime by Andrew Pentz, Sheriff by deed dated March 19, 1879; Thomas Reilly died December 16, 1879.

ITEM NUMBER 10	ESTATE
Thomas Reilly File No. 1522 (see copy)	Died December 16, 1879, testate
Executors: Peter A. Gaulin Mary E. Reilly	

ITEM NUMBER 11	DEED
Andrew Pentz, Jr., Sheriff of Clearfield Co. to Thomas Riley	Dated: March 14, 1879 Acknowledged: March 19, 1879 Recorded: April 16,1884 Deed Book Volume 31, Page 368 Consideration: $25.00 Sheriff's Deed Signed, sealed and delivered

---

CONVEYS: 65 acres.

EXCEPTIONS AND RESERVATIONS: None.

UNDER AND SUBJECT: None.

RECITAL: Sold as the property of Samuel McLaughlin.

EXHIBIT "B"

AFFIDAVIT RE DEFENDANTS

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF Allegheny :

I, SAMUEL F. FRAGALE SR. VICE PRES OF OPERATIONS of **PHILLIPS PRODUCTION COMPANY**, being duly sworn according to law, deposes and says that Phillips Production Company makes this Affidavit as the Plaintiff and, being authorized to do so, that the above-named Defendants' whereabouts are unknown, and that their dates of death are unknown; that the names and whereabouts of their heirs and devisees of the above-mentioned parties are unknown; that the names of any other parties who should be defendants in the above action are unknown; that Phillips Production Company is unable to ascertain the names of the persons, other than the foregoing Defendants, who should be the defendants herein; that for the foregoing reasons, the names and addresses of several other defendants are unknown.

PHILLIPS PRODUCTION COMPANY

BY: _____
SR. VICE PRES. OF OPERATIONS

Sworn to and subscribed
before me this 30th day
of AUG, 2007.

_____
NOTARY PUBLIC

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Frank J. Koch, Jr., Notary Public
Slippery Rock Twp., Butler County
My Commission Expires March 14, 2011
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Frank J. Koch, Jr., Notary Public
Slippery Rock Twp., Butler County
My Commission Expires March 14, 2011
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF Allegheny :

I, Samuel F. Fragale Sr Vice Pres of Operations of **PHILLIPS PRODUCTION COMPANY**, being duly sworn according to law, deposes and says that Phillips Production Company is the Plaintiff named in the foregoing Complaint and that the matters and facts set forth therein are true and correct to the best of his knowledge, information and belief.

PHILLIPS PRODUCTION COMPANY

BY: Samuel F. Fragale
Sr. Vice Pres. of Operations

Sworn to and subscribed
before me this 30th day
of August, 2007.

NOTARY PUBLIC

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Frank J. Koch, Jr., Notary Public
Slippery Rock Twp., Butler County
My Commission Expires March 14, 2011
Member, Pennsylvania Association of Notaries

FILED

SEP 06 2007

William A. Shaw
Prothonotary/Clerk of Courts

PHILLIPS PRODUCTION COMPANY,

Plaintiff,

vs.

SUSIE HUTTON,
her heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest,

Defendants.

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL ACTION - LAW

No. 07-1450-CD

ACTION TO QUIET TITLE

Type of Pleading:

Motion to Service Complaint
Via Publication

Filed on behalf of:

Phillips Production Company,
Plaintiff

Counsel of Record for This Party:

Michael S. Delaney, Esquire
936 Philadelphia Street
Indiana PA 15701
(724) 349-2255
ID #25537

ORIGINAL

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. _____
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

MOTION TO SERVE COMPLAINT VIA PUBLICATION

AND NOW, comes the Plaintiff, by and through its undersigned counsel, and avers that the whereabouts and identities of the above-mentioned Defendants who might possibly claim an interest in this Quiet Title Action are presently unknown, that the Plaintiff and counsel for Plaintiff have executed affidavits pursuant to Pa. R.C.P. 410 and 430 stating that they have made a good faith effort to ascertain the identities of the above-mentioned Defendants, including a title search and examination and research of available public records, that the identifies and/or whereabouts of the Defendants cannot be ascertained, and that service by publication pursuant to Pa. R.C.P. 410 and 430 is the only method that can be utilized to serve notice of this Action on the Defendants.

Accordingly, Plaintiff, through its undersigned counsel, moves this Court for leave to serve the Complaint on the above-mentioned Defendant, her heirs, devisees, administrators, executors, assigns, and all other persons, firms, partnerships, or corporate entities in interest, or their legal representatives, generally, by publication and in such manner as the Court shall direct and as provided by Pa.R.C.P. 410 and 430.

Respectfully submitted:

BY: _____
MICHAEL S. DELANEY, ESQUIRE
Attorney for Plaintiff

DATE: September 5, 2007

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. _____
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

AFFIDAVIT OF COUNSEL IN SUPPORT OF MOTION TO SERVE COMPLAINT VIA PUBLICATION

COMMONWEALTH OF PENNSYLVANIA	:	
	:	ss.
COUNTY OF INDIANA	:	

Undersigned Counsel for the Plaintiff, being duly sworn according to law, deposes and states that he makes this affidavit pursuant to Pa. R.C.P. 410 and 430, that the whereabouts and identities of the above-mentioned Defendants who might possibly claim an interest in this Quiet Title Action are presently unknown, that Plaintiff and Counsel for Plaintiff, Michael S. Delaney, Esquire, have made a good faith effort to ascertain the identities of the above-mentioned Defendants, including a title search and examination and research of available public records in conjunction with said title search, that said title abstract is attached to the Complaint, that the identities and/or whereabouts of the Defendants cannot be ascertained based upon said search

and examination, and that service by publication pursuant to Pa. R.C.P. 410 and 430 is the only method that can be utilized to serve notice of this action on the Defendants.

Respectfully submitted:

BY: _____
MICHAEL S. DELANEY, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 5th day of September, 2007.

_____
NOTARY PUBLIC

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Suzanne C. Fleming, Notary Public
Indiana Boro, Indiana County
My Commission Expires Feb. 10, 2008
Member, Pennsylvania Association Of Notaries

FILED

SEP 06 2007

William A. Shaw
Prothonotary/Clerk of Courts

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. 07-1450-CD
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

FILED
014:00BL
SEP 07 2007
William A. Shaw
Prothonotary/Clerk of Courts
1CC Atty (GK)

ORDER FOR PUBLICATION

AND NOW, the 7 day of Sept, 2007, upon consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on the above-mentioned Defendant, her cumulative heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, by publication one (1) time in the Clearfield County Legal Journal and one (1) time in the Clearfield Progress. The notice is to contain a notice to the Defendants, their unknown heirs and assigns, to enter their appearance or plead to the Complaint within twenty (20) days of the publication of said notice or a default judgment may be entered against them.

BY THE COURT:

Fred Ammerman

J.

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. 07-1450-CD
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

FILED 1cc
m 10:17 AM Atty Delaney
OCT 16 2007
William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA	:	
	:	ss.
COUNTY OF INDIANA	:	

MICHAEL S. DELANEY, ESQUIRE, being duly sworn according to law, deposes and says that he is the attorney of record for the Plaintiff in the above action, and makes this Affidavit on its behalf being authorized to do so, hereby swearing and attesting to the following facts: that a Complaint in Action to Quiet Title, endorsed with Notice to Plead within twenty (20) days from the services thereof, was filed in the Office of the Prothonotary of Clearfield County, Pennsylvania, at No. 07-1450-CD; that on the 7th day of September, 2007, the said Court made an Order that service be made upon the Defendants set forth in above-captioned matter by publication; that said Notice, as ordered by said Court, was published one (1) time in The Progress, of Clearfield, Pennsylvania, on the 14th day of September, 2007, as shown by the Proof of Publication of The Progress, which is attached hereto and made a part hereof; that said Notice, as ordered by said Court, was published one (1) time in the Clearfield County Legal Journal, of Clearfield, Pennsylvania, on the 21st day of September, 2007, as shown by the Proof of Publication of the Clearfield County Legal Journal, which is attached hereto and made a part hereof; that the Complaint was served on the above-

ORIGINAL

named Defendants by publication and that the Defendants have not filed an answer thereto, or otherwise entered an appearance or plead, although the time in which to do so has elapsed.

MICHAEL S. DELANEY, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed

before me this 15th day

of October, 2007.

NOTARY PUBLIC

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Suzanne C. Fleming, Notary Public
Indiana Boro, Indiana County
My Commission Expires Feb. 10, 2008
Member Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS | estate adjudicated and that the Defendants

IN THE COURT
OF COMMON PLEAS
CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW
No. 07-1450-CD
ACTION TO
QUIET TITLE

PHILLIPS PRODUCTION
COMPANY,
Plaintiff,
vs.
SUSIE HUTTON,

stituted 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 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

can cause the fl
you want slightl
to keep
Go over the flo
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remain.
Your best pr
Place doormats
Texas.
way to keep as
and grime out
broder

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 18th day of September, 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 September 14, 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.

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

My Commission Expires
October 31, 2007

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

Sharon J. Pusey
Notary Public
My Commission Expires

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

Michael S. Delaney
936 Philadelphia Street
Indiana PA 15701

R. Amilkavich and Gertrude J. Amilkavich, husband and wife, dated July 19, 1972, recorded February 12, 1974, in Deed Book 671, page 062.

Plaintiff is seeking an Order of Court discharging any right, title or interest that the Defendants may have to the above real estate.

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 defense or objections to the claims set forth against you. You are warned that if you fail to do so.

FILED
OCT 16 2007
William A. Shaw
Prothonotary/Clerk of Courts

Brian K. Sample, a/k/a Brian Keith Sample, Defendant.

NOTICE TO: Brenda Jo Sample, Brian Sample, a/k/a Brian K. Sample, a/k/a Brian Keith Sample.

You are hereby notified that on June 12, 2007 Plaintiff, EMC Mortgage Corporation Attorney-in-Fact for Lasalle Bank National Association as Trustee for Certificate Holders of Bear Stearns Asset Backed Securities Trust 2003- ABF1 Mortgage Loan Pass- Through Certificates, Series 2003-ABF1 filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Clearfield County Pennsylvania, docket to June Term 2007 No. 07-933 CD Civil Term, Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 983 Cooper Avenue, Grassflat, PA 16839 whereupon your property would be sold by the Sheriff of Clearfield County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

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 defense 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 NOTICE 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, Meholick, Court Administrator, Clearfield County Courthouse, Clearfield, PA 16830, 814-765-2641- ext. 5982.

GREGORY JAVARDIAN, ATTORNEY FOR PLAINTIFF, THE LAW OFFICES OF GREGORY JAVARDIAN, 1310 Industrial Blvd., 1st Floor, Ste. 101 Southampton, PA 18966, 215-942-9690.

WILLIAM J. MANSFIELD, INC., Legal Advertising Agency, The Woods, Suite 1209, 998 Old Eagle School Road, Wayne PA 19087-1805.

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. 07-1450-CD
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

FILED
m10:17 cc
OCT 16 2007

William A. Shaw
Prothonotary/Clerk of Courts
1cc Atty Delaney
GR

MOTION FOR JUDGMENT

AND NOW, this 15th day of October, 2007, an Affidavit having been filed by the Plaintiff, that the Complaint with Notice to Plead was served by publication on the Defendants, that the Plaintiff, by its attorney, Michael S. Delaney, Esquire, moves the Court to enter judgment in favor of the Plaintiff and against the Defendants and to grant the Plaintiff the relief for which it has prayed in accordance with the Pennsylvania Rules of Civil Procedure relating to Quieting of Title, Rule 1066 in particular. The Plaintiff further requests the Honorable Court to modify the thirty (30) day period in which the Defendants have to file an ejectment action to eliminate such thirty (30) day period in accordance with Pennsylvania Rule of Civil Procedure Number 248.

MICHAEL S. DELANEY, ESQUIRE
Attorney for Plaintiff

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FILED
OCT 16 2007
William A. Shaw
Prothonotary/Clerk of Courts

PHILLIPS PRODUCTION COMPANY,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY,
Plaintiff,	:	PENNSYLVANIA
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
	:	No. 07-1450-CD
SUSIE HUTTON,	:	
her heirs, executors, administrators,	:	ACTION TO QUIET TITLE
successors and assigns, and all	:	
other person, persons, firms,	:	
partnerships, or corporate entities	:	
in interest,	:	
	:	
Defendants.	:	

FILED
10:50 ICC Atty
OCT 19 2007 Delaney
William A. Shaw
Prothonotary/Clerk of Courts

ORDER OF COURT

AND NOW, this 18th day of October, 2007, an Affidavit of Service of the Complaint having been filed and no answer or other pleading or appearance having been made by any of the Defendants, the Court, upon Motion of Michael S. Delaney, Esquire, Attorney for the Plaintiff herein, ORDERS AND DECREES:

That the property subject to this Quiet Title Action is ALL the oil and gas leasehold estate in and underlying those certain tracts of land situate in Chest Township, Clearfield County, Pennsylvania, bounded and described as follows:

FIRST TRACT:

BEGINNING at a stone; thence by land of John Pennington, North 88-1/2° East 15 perches to a stone at public road; thence by land of M. J. McLaughlin, South 5° West 68 perches to a stone; thence by land of Curry & Shook, North 86° West 30 perches to stone or Sugar; thence by land of J. K. K. Shook, North 5° East 43 perches to a stone; thence by land of John Pennington, South 86° East 15 perches to a stone near a pine stump; thence by land of said John Pennington, North 5° East 24 perches to a stone and place of beginning. CONTAINING 10 acres, 57 perches.

SECOND TRACT:

BEGINNING at a corner of land of Susie Hutton; thence North 7° East 69 perches to a post corner on the south side of the public road leading to Five Points; thence near the center of said public road, North 88-1/2° East 46.5 perches to an iron post; thence South 7° West 77 perches to an iron post; thence North 85° West 46 perches to the place of beginning. CONTAINING 20 acres, 106 perches.

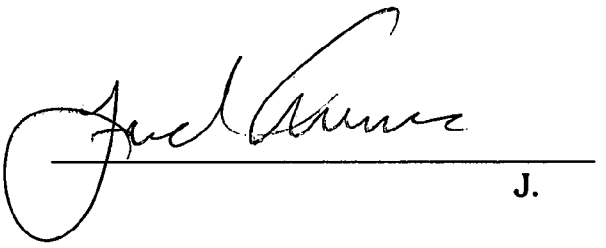
KNOWN as the oil and gas leasehold estate underlying Clearfield County Assessment Parcel Number 109-E15-32.

That title to said oil and gas leasehold estate is in Phillips Production Company, Plaintiff herein, as set forth in the Complaint in fee simple and absolutely;

That the Defendants, their administrators, executors, heirs, devisees, assigns, successors, and all other person, persons, firms, partnerships, or corporate entities in interest or legal representatives, are forever barred from asserting any right, title, lien, interest or claim whatsoever in the said oil and gas leasehold estate in question that is inconsistent with the interest of the said Plaintiff, Phillips Production Company, as set forth in the Complaint, to the said oil and gas leasehold estate, or impeaching, denying, or in any other way attacking said Plaintiff's title to the said oil and gas leasehold estate.

AND that the thirty (30) day provision in Pennsylvania Rule of Civil Procedure 1066(b)(1) is modified so as to eliminate the said thirty (30) day time period in which the Defendants would otherwise be entitled to take further action. Said modification is in accordance with authority vested in this Court by virtue of Pennsylvania Rule of Civil Procedure Number 248.

BY THE COURT:



J.

FILED

OCT 19 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/19/07

X 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: