

07-1542-CD

Sandra Coleman al vs Sean Geist al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - EQUITY

SANDRA L. COLEMAN N/K/A SANDRA L.  
DEANDREA, an individual, and SHANNON L.  
GEIST N/K/A SHANNON L. BALTER,  
an individual

Plaintiffs

vs.

SEAN L. GEIST, an individual, and BLUE SKY,  
a Pennsylvania General Partnership

Defendants

No. 07-1542-CD

TYPE OF CASE:  
Civil Action Law

TYPE OF PLEADING:  
Complaint in Partition

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
David R. Thompson, Esq.  
Attorney at Law  
Supreme Court I.D. 73053  
P.O. Box 587  
308 Walton Street, Suite 4  
Philipsburg PA 16866  
(814) 342-4100

FILED

01/10/2007

2cc Sheriff

2cc Atty

William A. Shaw  
Prothonotary/Clerk of Courts

Atty pd. 85.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - EQUITY

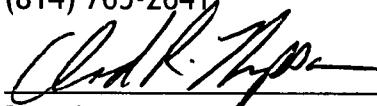
SANDRA L. COLEMAN N/K/A SANDRA L.	*	
DEANDREA, an individual, and SHANNON L.	*	No. 07-
GEIST N/K/A SHANNON L. BALTER,	*	
an individual	*	
Plaintiffs	*	
	*	
vs.	*	
	*	
SEAN L. GEIST, an individual, and BLUE SKY,	*	
a Pennsylvania General Partnership	*	
	*	
Defendants	*	

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 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.

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

  
\_\_\_\_\_  
David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - EQUITY

SANDRA L. COLEMAN N/K/A SANDRA L.	*
DEANDREA, an individual, and SHANNON L.	*
GEIST N/K/A SHANNON L. BALTER,	*
an individual,	*
	*
	No. 07-
Plaintiffs	*
	*
	*
vs.	*
	*
	*
SEAN L. GEIST, an individual, and BLUE SKY,	*
a Pennsylvania General Partnership,	*
	*
Defendants	*
	*

**COMPLAINT**

AND NOW, comes the Plaintiffs, SANDRA L. COLEMAN N/K/A SANDRA L. DEANDREA and SHANNON L. GEIST N/K/A SHANNON BALTER, by and through their attorney, DAVID R. THOMPSON, ESQUIRE, and files the following Complaint in Partition:

**COUNT I - PARTITION**

1. Plaintiff, SANDRA L. COLEMAN N/K/A SANDRA L. DEANDREA, resides at 235 East 13<sup>th</sup> Street, Hazleton, Pennsylvania, 18201.
2. Plaintiff, SHANNON L. GEIST N/K/A SHANNON L. BALTER, resides at 5126 Bentgrass Run Drive, Charlotte, North Carolina, 28269.
3. Defendant, SEAN L. GEIST, is an adult individual, residing at PO Box 57, Wallaceton, Pennsylvania, 16876.
4. Defendant, BLUE SKY, is a Pennsylvania General Partnership, with a business

address of 362 North Park Street, Sykesville, PA 16885.

5. The Plaintiffs and the Defendants are joint owners of real property subject of this action located in Graham Township, Clearfield County, Pennsylvania, bounded and described as follows:

**ALL** that certain tract, piece or parcel of land situated in the Township of Graham, Clearfield County, Pennsylvania, bounded and described as follows:

**BEGINNING** at a post and corner now or formerly of Daniel Parker; thence North along said line one hundred fifty-seven and one-half (157 1/2) perches to a post; thence West one hundred nine (109) perches to a post or white pin; thence South along Parker and DeHaas line, one hundred fifty-seven and one-half (157 1/2) perches to a white oak corner of Jos. Ball survey; thence East one hundred nine (109) perches along formerly Ed Williams, now Gray, to the place of beginning. **CONTAINING** one hundred three acres and eighty perches, more or less, being the southwest corner now or formerly of Jas. Milligan tract. **EXCEPTING AND RESERVING** from the above all conveyances as found in the chain of title hereto.

Said residue now being described as follows in accordance with a survey conducted:

**ALL** that certain piece or parcel of land situate in the Township of Graham, Clearfield County, Pennsylvania, bounded and described as follows:

**BEGINNING** at a railroad spike in a dirt lane which leads from T-693 to the property now or formerly of Darwin and Brenda Jones; thence following said lane and crossing T-693 South eight degrees twenty-five minutes fifteen seconds West five hundred twenty-eight and seventy-nine hundredths (528.79) feet to an iron pin located on the South side of T-693. Said point is also the northeast corner of Lot No. 3; thence along Lot No. 3 and Lot No. 1 and on the south side of T-693 the following courses and distances South fifty-one degrees on minutes thirty seconds West ninety-two and forty-nine hundredths (92.49 - erroneously referred to as 93.49 in previous deed in the chain of title) feet to an iron pin; thence South forty-five degrees fifty-five minutes fifty seconds West two hundred sixty-two and seventy-six hundredths (262.76) feet to an iron pin; thence South forty-nine degrees twenty-one minutes five seconds West one hundred thirty-four (134.0) feet to an iron pin; thence South fifty-four degrees twenty-one minutes ten seconds West one hundred thirty and ninety-five hundredths (130.95) feet to an iron pin; thence South fifty-nine degrees no minutes thirty seconds West eighty-six and ninety-four hundredths (86.94) feet to an iron pin; thence South sixty-three degrees thirty-three minutes forty seconds West one hundred fifteen and seventy-seven

hundredths (115.77) feet to an iron pin; thence South sixty-six degrees twenty-three minutes forty seconds West two hundred fourteen and five tenths (214.5) feet to an iron pin; thence South eighty-five degrees twenty-six minutes thirty-five seconds West seventy-nine and fifty-five hundredths (79.55) to an iron pin; thence North seventy-four degrees fifty-nine minutes fifty-five seconds West one hundred eleven and sixteen hundredths (111.16) feet to an iron pin; thence North sixty-four degrees fifteen minutes thirty-five seconds West four hundred one and twenty-four hundredths (401.24) feet to an iron pin; thence North sixty-nine degrees twenty-two minutes ten seconds West one hundred forty-seven and sixteen hundredths (147.16) feet to an iron pin; thence North seventy-five degrees fifty-four minutes fifty-seconds West one hundred thirty-six and eighteen hundredths (136.18) to an iron pin; thence North eighty-one degrees forty-eight minutes fifty-five seconds West one hundred fifteen and sixty-seven hundredths (115.67) feet to an iron pin; thence North seventy-five degrees twenty minutes fifty seconds West two hundred twenty-two and eighty-seven hundredths (222.87) feet to an iron pin; thence crossing T-693 and lands now or formerly of Anderson and Arlene Maines, North nine degrees two minutes fifty-five seconds East one thousand sixty-two and thirty-six hundredths (1062.36) feet to an iron pin; thence along lands now or formerly of Doyle D. Smeal North eight degrees eighteen minutes forty-five seconds East four hundred eighty and one tenth (480.1) feet; thence along lands now or formerly of John and Ceclia Davis and lands now or formerly of Harry Hummel Estate South eighty-degrees thirty-nine minutes East one thousand four hundred fifty-four and fourteen hundredths (1454.14) feet to an iron pin and also the northwest corner now or formerly of Darwin and Brenda Jones; thence along lands of same South eight degrees twenty-five minutes thirty seconds West four hundred sixty-one and seventy-eight hundredths (461.78) feet to an iron pin; thence still along lands of same South eighty-degrees forty-one minutes forty seconds East four hundred seventy-one and ninety-five hundredths (471.95) feet to a railroad spike and place of beginning. KNOWN as Lot No. 2 on map prepared by P. R. Mondock for Shirokey Surveys dated May 21, 1999. CONTAINING 62.9338 acres.

6. The aforesaid property is known by Clearfield County Tax Map No. 116-P10-2, and was conveyed to Plaintiffs by deed dated October 3, 2000 and recorded in Clearfield County Instrument #200014839, a copy of which is attached hereto and made a part hereof as Exhibit "A".

7. The said deed conveyed the real property unto Sandra Coleman; Shannon L. Geist; Sean L. Geist; and Julie A. Anderson, to be held as Joint Tenants with the Right of Survivorship. By way of further pleading, the Clearfield County Tax Claim Bureau sold

the undividable One-Fourth (1/4) interest of Julie A. Anderson unto Defendant Blue Sky for unpaid taxes, by Tax Claim Deed dated November 3, 2005 and recorded at Clearfield County Instrument No. 200519410. (A true and correct copy of the said deed is attached hereto and marked as Exhibit "B").

8. The real property subject of this action and described in Paragraph 5 above is currently owned by the following parties:

- a). One-Fourth (1/4) interest in Defendant Sean L. Geist, as Joint Tenant with the Right of Survivorship.
- b). One-Fourth (1/4) interest in Plaintiff Sandra L. Coleman n/k/a Sandra L. DeAndrea, as Joint Tenant with the Right of Survivorship.
- c). One-Fourth (1/4) interest in Plaintiff Shannon L. Geist n/k/a Shannon L. Balter, as Joint Tenant with the Right of Survivorship.
- d). One-Fourth (1/4) interest in Defendant Blue Sky, a Pennsylvania General Partnership, as Joint Tenant with the Right of Survivorship.

9. It is averred that the real property has been treated by the Clearfield County Tax Claim Bureau as being held as Joint Tenants in Common, as real property taxes are assessed and billed to the Joint Tenants individually.

10. The real property subject of this action is 61.2494 acres of ground. Each party is responsible for the payment of tax on their one-fourth interest. The property is managed by all parties herein. Defendant Sean Geist has a mobile home on the real property and resides on the subject property.

11. The parties hereto are unable to agree as to the disposition of the real

property.

12. No partition or division of the property subject of this action has ever been made, and the parties have not been able to agree on a sale or partition of the property.

13. Plaintiffs have engaged the services of a surveyor for purposes of subdividing the real property into equitable portions. Currently, the survey subdivides the real property into two (2) parcels. (A true and correct copy of the survey and related subdivision documents are collectively marked as Exhibit "C").

14. Plaintiffs propose that Proposed Lot No. 4 be further divided into two (2) equal lots, one for each of the Defendants. Plaintiffs will agree to jointly own Lot No. 2 Residual on the said survey map.

WHEREFORE, the Plaintiffs pray:

a). That your Honorable Court enter an Order directing partition of the real property subject of this action;

b). Direct that the real property is capable of division without prejudice to or the spoiling of the said property;

c). That the shares or portion of the property of each party herein be set out to them according to the proposal stated in Paragraph 14 and in accordance with the survey map in Exhibit "C";

d). That all property and necessary deeds, conveyances and documents be executed to carry out any partition in such manner as your Honorable Court may direct;

e). That the Court assess the costs of said partition equally among the joint tenants;

f). That your Honorable Court issue any other Order or further relief that the Court deems just and proper.

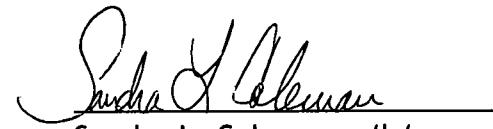
Respectfully submitted,

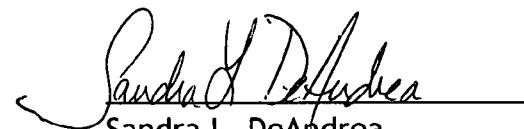


David R. Thompson, Attorney

**VERIFICATION**

I the Plaintiff verify that the statements made in this are true and correct. We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Sandra L. Coleman n/k/a

  
\_\_\_\_\_  
Sandra L. DeAndrea

**VERIFICATION**

I the Plaintiff verify that the statements made in this are true and correct. We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Shannon L. Geist  
Shannon L. Geist n/k/a

Shannon L. Balter  
Shannon L. Balter

KAREN L. STARK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200014839  
RECORDED ON  
Oct. 04, 2000  
11:06:59 AM  
RECORDING FEES - \$18.00  
TITLE IMPROVEMENT \$1.00  
LAND RECORDER \$1.00  
IMPROVEMENT FUND  
TATE WRIT TAX \$0.50  
TOTAL \$20.50  
CUSTOMER  
EARHART, R. DENNING

# This Deed

MADE the 3<sup>rd</sup> day of October, in the year Two Thousand (2000)

BETWEEN ROBERT E. GEIST and JUDITH L. GEIST, his wife, of 301 B Street, Philipsburg, Pennsylvania, parties of the first part, hereinafter referred to as the GRANTORS,

AND

SEAN L. GEIST, an adult individual, of P.O. Box 57, Wallaceton, Pennsylvania 16876; SANDRA L. COLEMAN, an adult individual, of 308 River Street, Hawley, PA 18428; JULIE A. ANDERSON, an adult individual, of 301 B. Street, Philipsburg, PA 16866; and SHANNON L. GEIST, an adult individual, of 7715 Burkhard Way, Apt. 934, Charlotte, NC 28226, brothers and sisters, to be held as joint tenants with the right of survivorship, EACH HOLDING A ONE-FOURTH INTEREST, parties of the second part, hereinafter referred to as the GRANTEES,

WITNESSETH, That in consideration of One and 00/100 (\$1.00) Dollar, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees, their heirs, successors and assigns,

ALL that certain tract, piece or parcel of land situated in the Township of Graham, Clearfield County, Pennsylvania, bounded and described as follows:



**BEGINNING** at a post and corner now or formerly of Daniel Parker; thence North along said line one hundred fifty-seven and one-half (157 1/2) perches to a post; thence West one hundred nine (109) perches to a post or white pine; thence South along Parker and DeHass line, one hundred fifty-seven and one-half (157 1/2) perches to a white oak corner of Jos. Ball survey; thence East one hundred nine (109) perches along formerly Ed Williams, now Gray, to the place of beginning. **CONTAINING** one hundred three acres and eighty perches, more or less, being the Southwest corner now or formerly of Jas. Milligan tract.

**EXCEPTING** and **RESERVING** from the above all conveyances as found in the chain of title hereto.

Said residue now being described as follows in accordance with a survey conducted:

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seconds East four hundred eighty and one tenth (480.1) feet; thence along lands now or formerly of John and Cecilia Davis and lands now or formerly of Harry Hummel Estate South eighty degrees thirty-nine minutes East one thousand four hundred fifty-four and fourteen hundredths (1454.14) feet to an iron pin and also the northwest corner now or formerly of Darwin and Brenda Jones; thence along lands of same South eight degrees twenty-five minutes thirty seconds West four hundred sixty-one and seventy-eight hundredths (461.78) feet to an iron pin; thence still along lands of same South eighty degrees forty-one minutes forty seconds East four hundred seventy-one and ninety-five hundredths (471.95) feet to a railroad spike and place of beginning. Known as Lot No. 2 on map prepared by P.R. Mondock for Shirokey Surveys and dated May 21, 1999. CONTAINING 62.9338 acres.

Being identified in the Clearfield County Mapping and Assessment Office as Map No. 116-P10-02.

BEING the same premises as was conveyed to Lloyd R. Geist and Robert E. Geist, by Deed of Mildred Geist, a widow, dated July 15, 1976 and entered for record in the Recorder's Office of Clearfield County in Deed Book Volume 722, Page 397. The said Lloyd R. Geist having passed away January 30, 1995 with title thereby vesting in Robert E. Geist, as the joint tenant with right of survivorship.

THIS BEING A TRANSFER FROM PARENTS TO CHILDREN.

TOGETHER with, all and singular, the ways, waters, water courses, rights, liberties,

privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, use, trust, property, possession, claim and demand whatsoever of Grantors in law, equity, or otherwise, howsoever, of, in, to, or out of the same.

TO HAVE AND TO HOLD the same together with all and singular, the said

Grantors' hereditaments and premises hereby granted and released, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs, successors and assigns, to and for the only proper use and behoof of the said Grantees and assigns, forever.

BUYER ALSO UNDERSTANDS THAT THERE IS NO COMMUNITY OR PUBLIC SEWAGE SYSTEM AVAILABLE TO THE WITHIN PROPERTY. A PERMIT FOR ANY NEW INDIVIDUAL SEWAGE SYSTEM, OR ANY REPAIRS TO ANY EXISTING INDIVIDUAL SEWAGE SYSTEM, WILL HAVE TO BE OBTAINED FROM THE LOCAL AGENCY DESIGNATED AS PROVIDED IN THE PENNSYLVANIA SEWAGE FACILITIES ACT.

## NOTICE

Under the provisions of Title 30, and in the subsidence and Land  
Act, I/we, the undersigned, do hereby certify that I/we know and  
will not be obtaining the right of action against subsidence resulting from  
mining operations, or the removal of coal, in damage due to min-  
ing, or the removal of coal, in damage due to the coal. I/we further  
certify that this notice is in a color contrasting with the coal proper and is printed in  
the word "Notice" printed in a large, bold, type.

Dean L. Geist

Landowner or Grantee

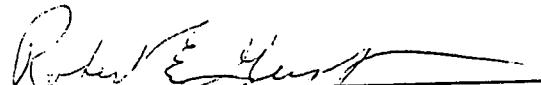
2011 Day of October 2000

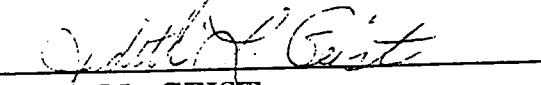
THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE  
COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED  
TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL  
RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO  
THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN  
SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY  
LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED  
BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as  
amended.)

The said Grantors will **SPECIALLY WARRANT** the property hereby conveyed.

IN WITNESS WHEREOF, said grantors have hereunto set their hands and seals, the day  
and year first above-written.

Sealed and delivered in  
the presence of:

  
ROBERT E. GEIST

  
JUDITH L. GEIST

### CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the grantees herein is as follows:

Sean L. Geist  
P.O. Box 57  
Wallaceton, PA 16876

Sandra L. Coleman  
308 River Street  
Hawley, PA 18428

Julie A. Anderson  
301 B. Street  
Philipsburg, PA 16866

Shannon L. Geist  
7715 Burkhard Way, Apt. 934  
Charlotte, NC 28226

  
R. Denning Gearhart, Esquire  
NO TITLE SEARCH/CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA:

: ss:

COUNTY OF CLEARFIELD

:

On this, the 15<sup>th</sup> day of October, 2000, before me, the undersigned officer, a Notary Public, personally appeared ROBERT E. GEIST and JUDITH L. GEIST, husband and wife, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

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

My Commission Expires: \_\_\_\_\_

Jennifer A. Cutler  
Notary Public

Notarial Seal  
Jennifer A. Cutler, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires June 17, 2003

# CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder

Maurene Inlow - Chief Deputy

P.O. Box 361

1 North Second Street, Suite 103

Clearfield, Pennsylvania 16830

**AFFIDAVIT No. 38870A**

## **\*RETURN DOCUMENT TO:**

CLEARFIELD CO TAX CLAIM BUREAU

Instrument Number - 200519410

Recorded On 11/7/2005 At 2:17:13 PM

\*Instrument Type - DEED

\*Total Pages - 3

Invoice Number - 139106

\*Grantor - CLEARFIELD CO TAX CLAIM BUREAU

\*Grantee - BLUE SKY

\*Customer - CLEARFIELD CO TAX CLAIM BUREAU

### **\* FEES**

STATE TRANSFER TAX	\$131.79
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES -	\$13.00
RECORDER	
RECORDER IMPROVEMENT	\$3.00
FUND	
COUNTY IMPROVEMENT FUND	\$2.00
WEST BRANCH AREA	\$65.30
SCHOOLS REALTY TAX	
GRAHAM TOWNSHIP	\$65.89
TOTAL	\$292.08

I hereby CERTIFY that this document  
is recorded in the Recorder's Office of  
Clearfield County, Pennsylvania.



*Karen L. Starck*

Karen L. Starck  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

# **Do Not Detach**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

EXHIBIT

**B**

TAX CLAIM BUREAU DEED

Made the Third day of November in the year of our Lord, 2005.

BETWEEN THE TAX CLAIM BUREAU OF CLEARFIELD COUNTY, PENNSYLVANIA, Trustee,  
under the provisions of the Act of July 7, 1947, P.L. 1368, and amendments  
thereto, hereinafter called the GRANTOR,

AND

BLUE SKY  
A PENNSYLVANIA GENERAL PARTNERSHIP  
DOING BUSINESS AT  
362 NORTH PARK STREET, SYKESVILLE, PA. 15865

Hereinafter referred to as "GRANTEE"

WHEREAS, the hereinafter described premises were assessed in the name  
of ANDERSON, JULIE A. and taxes levied for the years 2003 & 2004 which have not  
been paid and which are delinquent; and

WHEREAS, the said delinquent taxes against the said property were filed  
in the Tax Claim Bureau of Clearfield County, Pennsylvania and became liened; and

WHEREAS, after proceeding under the provisions of the Act aforesaid, the  
Tax Claim Bureau did expose the said premises to public sale on the Sixteenth day  
of September 2005; and

WHEREAS, the said premises were sold at said public sale for the sum of  
Five Thousand Nine Hundred Dollars (\$5,900.00), paid by Blue Sky, as is more  
particularly shown in the report and return of said sale by the Tax Claim Bureau,  
and at the subsequent confirmation thereof by the Court of Common Pleas of  
Clearfield County, Pennsylvania, 2005-1487 CD. Following instructions given by  
the purchaser, this property is being conveyed to the Grantees as stated above.

NOW THIS INDENTURE WITNESSETH, that for and in consideration of the sum of  
Five Thousand Nine Hundred Dollars (\$5,900.00), the receipt thereof is hereby  
acknowledged. Grantor does hereby grant and convey unto the Grantees. Grantor  
does hereby grant and convey unto the said Grantees, their heirs, successors or  
assigns the following described property to wit:

GRAHAM TOWNSHIP  
#116-210-000-00002  
254 INT IN SHED & 62.933 A

BEING the same property offered for sale for delinquent taxes in accordance  
with the provisions of the Act of Assembly hereinbefore recited under Tax Claim  
No. 2003-005313 as the property of ANDERSON, JULIE A. CONVEYED TO HER IN  
INSTRUMENT NUMBER 200014839.

This deed is executed and acknowledged by MARY ANNE WESDOCK, who was duly appointed Director of the Tax Claim Bureau by Resolution of the County Commissioners of Clearfield County, Pennsylvania, dated August 15, 1989.

IN WITNESS WHEREOF, the Grantor has caused this deed to be executed in its name and its official seal to be affixed hereto the day and year first above written.

TAX CLAIM BUREAU OF CLEARFIELD  
COUNTY, PENNA.

Witness:

Jeffrey C. Graham  
Jeffrey C. Graham, Asst. Tax ...

Mary Anne Wesdock  
Mary Anne Wesdock, Director

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF CLEARFIELD )

On this 11th day of November, 2005, before me, the subscriber personally appeared MARY ANNE WESDOCK, Director of the Tax Claim Bureau of Clearfield County, Pennsylvania, in due form of law acknowledged the foregoing Indenture to be her act and deed and desired that the same might be recorded as such.

WITNESS my hand and official seal the day and year aforesaid:

Willie M. Graham (SEAL)  
Prothonotary

My commission expires the first day of January, 20

Deputy Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

I CERTIFY that the precise residence and address of the grantee in this indenture is:

362 NORTH PARK  
SYKESVILLE, PA

Mary Anne Wesdock



# Clearfield County Planning Commission

209 East Locust Street • Clearfield, PA 16830  
(814) 765-2641, Ext. 5978 • FAX (814) 765-7509

**DATE:** October 29, 2004  
**TO:** Nick Shirokey  
**FROM:** Clearfield County Planning Department  
**SUBJECT:** **Act 247 County Subdivision and Land Development**  
**Review and Report for Clearfield County Municipalities with their own**  
**Subdivision and Land Development Ordinance**

**Application for Minor Subdivision:** CCPC File No 22504-7  
Sean L. Geist, Shannon Geist, Sandy Coleman, Julie Anderson Subdivision

**Location:** Graham Township, along Williams Road (T-693)

**Name of Surveyor:** Nick Shirokey, PLS

**Date Received:** 10/29/04

**Date Reviewed:** 10/29/04

**No. of Lots:** 1 + Residual

**Zoning:** N/A

**Sewage:** Lot 4: Existing On-Lot

Residual: N/A (Non-Building Waiver)

**Water Supply:** Lot 4: Existing On-Lot

Residual: N/A (Non-Building Waiver)

The Clearfield County Planning Department, as required by Section 502 (b) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, reviewed this plan on **October 29, 2004** and copy of the review and report is on file at the office of the Planning Department. This certificate does not indicate approval or disapproval of the plan by the Clearfield County Planning Department, and the Department does not represent nor guarantee that this plan complies with the various ordinances, rules, regulations, or laws of the local municipality, the Commonwealth, or the Federal government.

We return the above-referenced application with the following comment on the Plan before Municipal review for final approval by the governing body:

- Final approval should be conditional to receipt of non-building waiver for both parcels, signed by the appropriate municipal officials.

Sincerely,

Jodi McCluskey  
Planning Director

cc: Graham Township  
Sean L. Geist  
Shannon Geist  
Sandy Coleman  
Julie Anderson



**Lot No. 4**

All that piece or parcel of land situated in the Township of Graham, County of Clearfield, and State of Pennsylvania is bounded and described as follows:]

Beginning at an iron pin located on the north side of Township Road No. 693, also known as Williams Road; thence along said road the following courses and distances:

South fifty-four degrees, zero minutes, five seconds West ( S 54° 00' 05" W) one hundred twenty-three and ninety-one hundredths (123.91) feet; thence South forty-five degrees, fifty-six minutes, forty-five seconds West ( S 45° 56' 45" W) two hundred sixty-one and ninety-eight hundredths (261.98) feet; thence South forty-nine degrees, eighteen minutes, thirty-five seconds West ( S 49° 18' 35" W) one hundred thirty-one and fifty-five hundredths (131.55) feet; thence South fifty-four degrees, thirty-seven minutes, fifty seconds West ( S 54° 37' 50" W) one hundred twenty-six and ninety-nine hundredths (126.99) feet; thence South fifty-eight degrees, thirty-three minutes, fifty seconds West ( S 58° 33' 50" W) eighty-five and sixty-six hundredths ( 85.66) feet; thence South sixty-three degrees, thirty-three minutes, forty seconds West ( S 63° 33' 40" W) one hundred fourteen and twenty-seven hundredths ( 114.27) feet; thence South sixty-six degrees, nineteen minutes, twenty-five seconds West ( S 66° 19' 25" W) two hundred eight and seventy hundredths ( 208.70) feet; thence South eighty-five degrees, fifty-minutes, fifty-five seconds West ( S 85° 50' 55" W) sixty-nine and forty-five hundredths ( 69.45) feet to an iron pin and also the southeast corner of, Lot No.2 Residual; thence along lands of same North seven degrees, ten minutes, fifty seconds West ( N 7° 10' 50" W) one thousand seven hundred sixty-five and twenty-three hundredths ( 1765.23) feet to an iron pin on line of, now or formerly, Leonard Davis; thence along lands of same and lands of, now or formerly, Harry L. Hummel Heirs South eighty degrees thirty-nine minutes, zero seconds East ( S 80° 39' 00" E) eight hundred thirty-three and seventeen hundredths ( 833.17) feet to an iron pin and also the northwest corner of, now or formerly, Darwin A. and Brenda M. Jones; thence along lands of same South eight degrees, twenty-five minutes, thirty seconds West ( S 8° 25' 30" W) four hundred sixty-one and seventy-eight hundredths ( 461.78) feet to an iron pin; thence still along lands of same South eighty degrees, forty-one minutes, forty seconds East ( S 80° 41' 40" E) four hundred seventy-one and ninety-five hundredths ( 471.95) feet to an iron pin; thence South eight degrees, twenty-five minutes, fifteen seconds West (S 8° 25' 15"W) four hundred eighty-nine and sixty-seven hundredths ( 489.67) feet to an iron pin and place of beginning.

Known as Lot No. 4 on map prepared by P.R. Mondock for Shirokey Surveys dated October 12, 2004.

Containing 30.6473 acres and being part of same premises conveyed to Sean Geist, Shannon Geist, Sandy Coleman, and Julie Andersen and recorded in Clearfield under instrument No. 200014839.

## **Lot No. 2 Residual**

All that piece or parcel of land situated in the Township of Graham, County of Clearfield, and State of Pennsylvania is bounded and described as follows:

Beginning at an iron pin located on the north side of Township Road No. 693 also known as Williams Road. Said point is also the southwest corner of Lot No.4; thence along said road the following courses and distances:

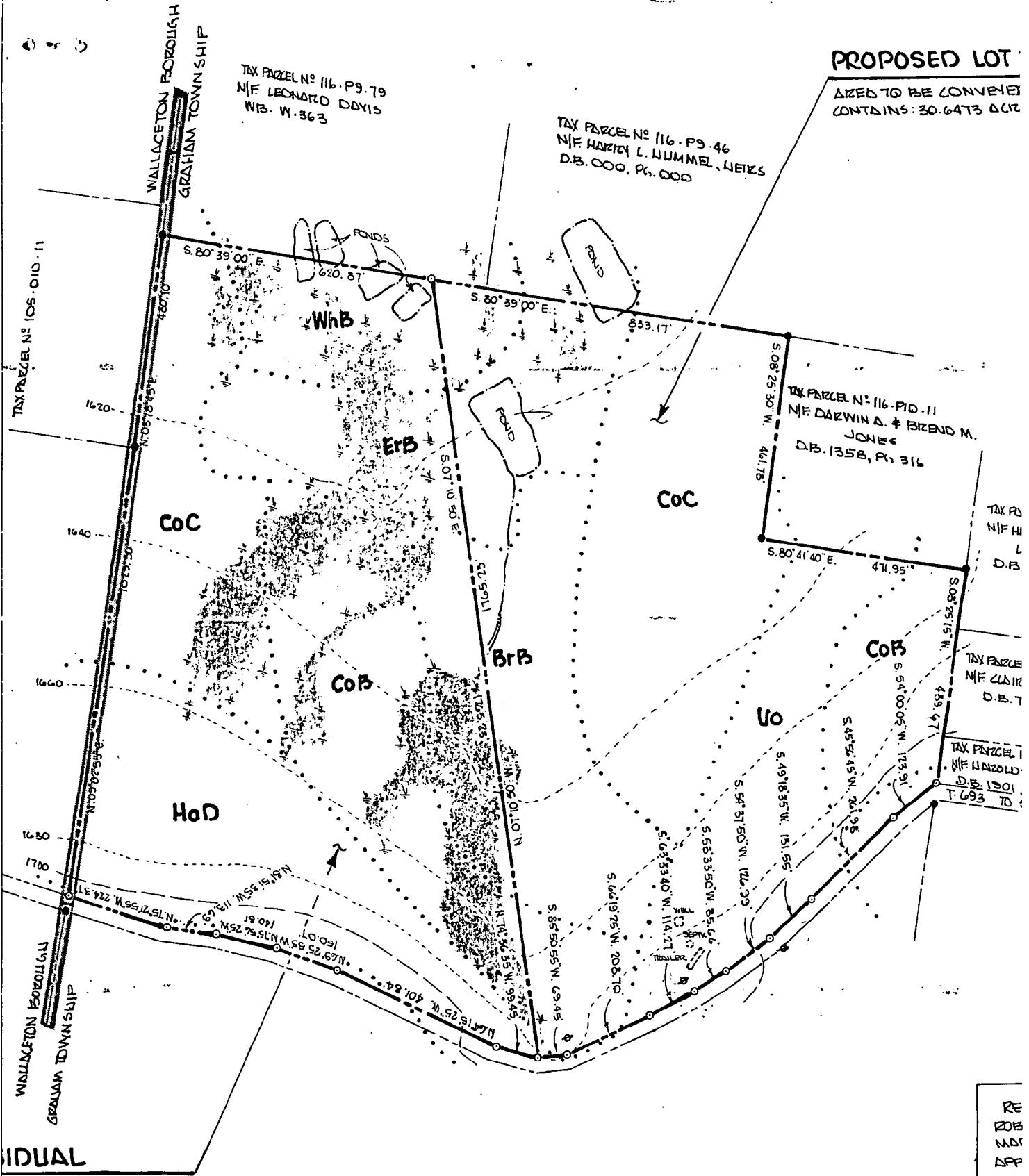
North seventy-four degrees, thirty-six minutes, thirty-five seconds West ( N 74° 36' 35"W) ninety-nine and forty-five hundredths ( 99.45) feet; thence North sixty-four degrees, fifteen minutes, twenty-five seconds West ( N 64° 15' 25" W) four hundred one and eighty-four hundredths ( 401.84) feet; thence North sixty-nine degrees, twenty-five minutes, fifty-five seconds West (N 69° 25' 55"W) one hundred fifty and seven hundredths (150.07) feet; thence North seventy-five degrees, fifty-six minutes, twenty-five seconds West ( N 75° 56' 25"W) one hundred forty and eighty-one hundredths ( 140.81) feet; thence North eighty-one degrees, fifty-one minutes thirty-five seconds West ( N 81° 51' 35"W) one hundred thirteen and sixty-nine hundredths (113.69) feet; thence North seventy-five degrees, twenty-one minutes, fifty-five seconds West ( N 75° 21' 55" W) two hundred twenty-four and thirty-seven hundredths ( 224.37) feet to an iron pin on the Wallaceton Borough and the Graham Township line; thence along same North nine degrees, two minutes, fifty-five seconds East ( N 9° 02' 55"E) one thousand twenty-nine and thirty-six hundredths ( 1029.36) feet to an iron pin; thence still along same North eight degrees, eighteen minutes, forty-five seconds East ( N 8° 18' 45" E) four hundred eighty and ten hundredths ( 480.10) feet to an iron pin and also the southwest corner of, now or formerly, Leonard Davis; thence along lands of same South eighty degrees, thirty-nine minutes, zero seconds East ( S 80° 39' 00" E) six hundred twenty and eighty-seven hundredths ( 620.87) feet to an iron pin and also the northwest corner of Lot No.4; thence along Lot No.4 South seven degrees, ten minutes, fifty seconds East ( S 7° 10' 50" E) one thousand seven hundred sixty-five and twenty-three hundredths ( 1765.23) feet to an iron pin and place of beginning.

Known as Lot No.2 Residual on map prepared by P.R. Mondock for Shirokey Surveys dated October 12, 2004.

Containing 30.621 acres and being part of same premises conveyed to Sean Geist, Shannon Geist, Sandy Coleman, and Julie Anderson and recorded in Clearfield under Instrument No. 200014839.

# PROPOSED LOT

SAZED TO BE CONVEYED  
CONTAINS: 30.6473 ACRES



## SITE DATA

TOTAL AREA: 61.2454 ACRES

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

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs : Type of Case: Civil/Equity  
vs. : Type of Pleading: Entry of Appearance  
SEAN L. GEIST, an individual, and : Filed on behalf of: Blue Sky, Defendant  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants : Counsel for Blue Sky, Defendant:  
: Ann B. Wood, Esquire  
: Supreme Court No. 23364  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
: P.O. Box 670  
: Clearfield, PA 16830  
: (814) 765-5537

FILED 2cc  
01/11/2007 Atty Wood  
NOV 06 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

SANDRA L. COLEMAN N/K/A	:	
SANDRA L. DEANDREA, an	:	No. 2007-1542-CD
individual, and SHANNON L. BALTER	:	
an individual	:	
Plaintiffs	:	
vs.	:	
SEAN L. GEIST, an individual, and	:	
BLUE SKY, a Pennsylvania General	:	
Partnership	:	
Defendants	:	

**PRAECIPE FOR APPEARANCE**

TO: William A. Shaw, Prothonotary, Clerk of Courts,

Please enter my appearance on behalf of Defendant Blue Sky, in the above-captioned case.

BELL, SILBERBLATT & WOOD  
By

Date: November, 2007

Ann B. Wood  
Ann B. Wood, Esquire  
Attorney for Defendant Blue Sky

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

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs :  
: :  
vs. :  
: :  
SEAN L. GEIST, an individual, and :  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants :  
:

CERTIFICATE OF SERVICE

I hereby certify that a Certified Copy of my Praecepice for Appearance  
on behalf of the Defendant Blue Sky in the above matter has been served upon the  
Attorney for the Plaintiffs by mailing the same to him by United States First Class  
Mail, postage prepaid, addressed as follows on November 6, 2007:

David R. Thompson, Esquire  
308 Walton Street, Suite 4  
P.O. Box 587  
Philipsburg, PA 16866-0587

Date: Nov. 6, 2007.

Ann B. Wood  
Ann B. Wood, Attorney for  
Defendant Blue Sky

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

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs : Type of Case: Civil/Equity  
vs. : Type of Pleading: Answer to Complaint  
SEAN L. GEIST, an individual, and : Filed on behalf of: Blue Sky, Defendant  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants : Counsel for Blue Sky, Defendant:  
Ann B. Wood, Esquire  
Supreme Court No. 23364  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
: P.O. Box 670  
: Clearfield, PA 16830  
: (814) 765-5537

FILED  
01/11/2008  
NOV 06 2007  
200  
Atty Wood  
Clerk of Courts

William A. Shaw  
Prothonotary/Clerk of Courts

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

SANDRA L. COLEMAN N/K/A	:	
SANDRA L. DEANDREA, an	:	No. 2007-1542-CD
individual, and SHANNON L. BALTER	:	
an individual	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
SEAN L. GEIST, an individual, and	:	
BLUE SKY, a Pennsylvania General	:	
Partnership	:	
Defendants	:	

**ANSWER TO COMPLAINT IN PARTITION**

NOW COMES Defendant, Blue Sky, by and through its attorney, Ann B. Wood, Esquire, Bell, Silberblatt & Wood, and files its Answer to the Complaint in Partition as follows:

**COUNT I - PARTITION**

1. Paragraph 1 of the Complaint is admitted.
2. Paragraph 2 of the Complaint is admitted.
3. Paragraph 3 of the Complaint is admitted.
4. Paragraph 4 of the Complaint is admitted.
5. Paragraph 5 of the Complaint is admitted.
6. Paragraph 6 of the Complaint is admitted.
7. Paragraph 7 of the Complaint is admitted.
8. Paragraph 8 of the Complaint is admitted.
9. Paragraph 9 of the Complaint is admitted.
10. Paragraph 10 of the Complaint is admitted.

11. Paragraph 11 of the Complaint is admitted.
12. Paragraph 12 of the Complaint is admitted.
13. Paragraph 13 of the Complaint is neither admitted nor denied as after reasonable investigation, Defendant Blue Sky is unable to determine the truth thereof and strict proof is demanded at trial.
14. Paragraph 14 of the Complaint is denied as stated and, on the contrary, it is averred that the Defendant does not have direct knowledge as to whether the Plaintiffs have had the property surveyed and divided in two parcels or whether work may have consisted of four parcels. It is further averred that the division proposed by the Plaintiffs may not be equitable as a portion of the subject property has been stripped and a portion of the property is believed to contain additional coal reserves so a strict division based on acreage is not equitable as to value.

WHEREFORE, the Defendant Blue Sky prays:

- a) This Honorable Court refuse to enter an Order directing partition of the subject property;
- b) This Honorable Court find that the real property is not capable of division without prejudice to or spoiling the property;
- c) This Honorable Court find that the determination of the proposed division of the property as set forth in Paragraphs 13 and 14 of the Plaintiffs' Complaint should be denied as being inequitable as to the values of the particular parcels;
- d) This Honorable Court refuse to direct the execution of deeds, conveyances and documents necessary to carry out a partition;
- e) This Honorable Court assess the costs of this partition proceeding to the Plaintiffs; and,

f) This Honorable Court enter an Order dismissing the Complaint and refusing to grant further relief.

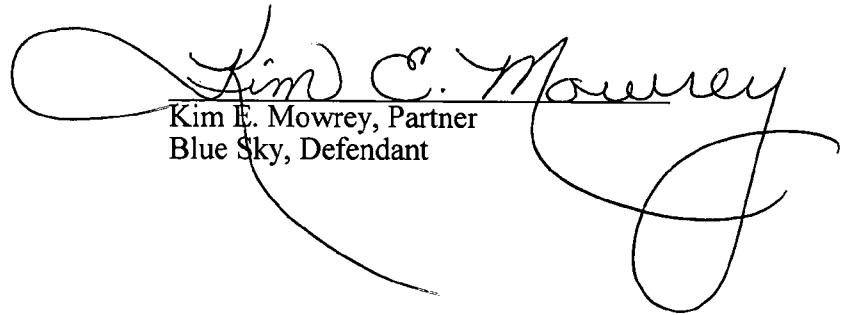
BELL, SILBERBLATT & WOOD  
BY:

Ann B. Wood  
Ann B. Wood, Esquire  
Attorney for Defendant Blue Sky

## VERIFICATION

I verify that the statements made in this Answer to Complaint in Partition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: 10/31/07



Kim C. Mowrey  
Kim E. Mowrey, Partner  
Blue Sky, Defendant

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

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs :  
: :  
vs. :  
: :  
SEAN L. GEIST, an individual, and :  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants :  
:

CERTIFICATE OF SERVICE

I hereby certify that a Certified Copy of the Answer to Complaint in Partition filed on behalf of the Defendant Blue Sky in the above matter has been served upon the Attorney for the Plaintiffs by mailing the same to him by United States First Class Mail, postage prepaid, addressed as follows on November 6, 2007:

David R. Thompson, Esquire  
308 Walton Street, Suite 4  
P.O. Box 587  
Philipsburg, PA 16866-0587

Date: Nov. 6, 2007

Ann B. Wood  
Ann B. Wood, Attorney for  
Defendant Blue Sky

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103217  
NO: 07-1542-CD  
SERVICE # 1 OF 2  
COMPLAINT IN PARTITION

PLAINTIFF: SANDRA L. COLEMAN n/k/a SANDRA L. DEANREA, an ind. & SHANNON L. GEIST n/k/a SHANNON L. BALTER  
VS.  
DEFENDANT: SEAN L. GEIST, An indiv. and BLUE SKY A Pennsylvania General Partnership

**SHERIFF RETURN**

---

NOW, September 28, 2007 AT 2:14 PM SERVED THE WITHIN COMPLAINT IN PARTITION ON SEAN GEIST DEFENDANT AT 1117 WILLIAMS ROAD, WALLACETON, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO SEAN GEIST, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN PARTITION AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

**FILED**

011:50 AM  
JAN 25 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103217  
NO: 07-1542-CD  
SERVICE # 2 OF 2  
COMPLAINT IN PARTITION

PLAINTIFF: SANDRA L. COLEMAN n/k/a SANDRA L. DEANREA, an ind. & SHANNON L. GEIST n/k/a SHANNON L. BALTER

vs.

DEFENDANT: SEAN L. GEIST, An indiv. and BLUE SKY A Pennsylvania General Partnership

**SHERIFF RETURN**

---

NOW, September 21, 2007, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN PARTITION ON BLUE SKY A Pennsylvania General Partnership.

NOW, September 27, 2007 AT 9:50 AM SERVED THE WITHIN COMPLAINT IN PARTITION ON BLUE SKY A Pennsylvania General Partnership, DEFENDANT. THE RETURN OF JEFFERSON COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA**

DOCKET # 103217  
NO: 07-1542-CD  
SERVICES 2  
COMPLAINT IN PARTITION

PLAINTIFF: SANDRA L. COLEMAN n/k/a SANDRA L. DEANREA, an ind. & SHANNON L. GEIST n/k/a SHANNON L. BALTER  
vs.  
DEFENDANT: SEAN L. GEIST, An indiv. and BLUE SKY A Pennsylvania General Partnership

## SHERIFF RETURN

## RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	THOMPSON	16486	20.00
SHERIFF HAWKINS	THOMPSON	16486	40.11
JEFFERSON CO.	THOMPSON	16493	41.34

### Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2008

*Chester A. Hawkins*  
*by Marilyn Hawkins*

No. 07-1542 C.D.

Personally appeared before me, Harry Dunkle, Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on September 27, 2007 at 9:50 o'clock A.M. served the Notice and Complaint upon BLUE SKY, Defendant, at the address of 362 North Park Street, Borough of Sykesville, County of Jefferson, State of Pennsylvania, by handing to Kim Mowrey, Owner and adult person in charge at time of service, a true copy of the Notice and Complaint and by making known to her the contents thereof.

Advance Costs Received:	\$125.00	
My Costs:	39.34	Paid
Prothy:	2.00	
Total Costs:	41.34	
REFUNDED:	\$ 83.66	

Sworn and subscribed  
to before me this 1<sup>st</sup>  
day of Oct 2007  
By Harry Dunkle

My Commission Expires the  
1st Monday, January 2010

So Answers,

Harry Dunkle Deputy

Thomas A. Demko Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

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

FILED 4CC  
01/14/2008  
JAN 28 2008 Amy Thompson

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

SANDRA L. COLEMAN N/K/A,  
SANDRA L. DEANDREA, and  
SHANNON L. GEIST N/K/A  
SHANNON L. BALTER

\*  
\*  
\* No. 07-1096-CD  
\*  
\*

Plaintiffs

\*

vs.

\*

SEAN L. GEIST, and BLUE SKY,  
A Pennsylvania General Partnership

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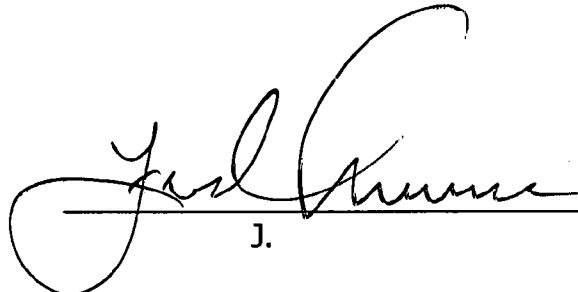
William A. Shaw  
Prothonotary/Clerk of Courts

4 went to  
Attn

6/2

**ORDER**

It is hereby ORDERED AND DECREED that a hearing is scheduled the 5<sup>th</sup> day of March, 2008, at 11:00 a.m./p.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania, to hear argument/ testimony as to why Plaintiffs Motion for a Partition be Issued should not be granted. One half hour has been allotted in this matter.

  
J.

1-29-08

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

SANDRA L. COLEMAN N/K/A	*
SANDRA L. DEANDREA and	*
SHANNON L. GEIST N/K/A	*
SHANNON L. BALTER	*
Plaintiffs	No. 07-1096-CD
VS.	*
SEAN L. GEIST and BLUE SKY, A	*
Pennsylvania General Partnership	*
Defendants	*
	*

MOTION FOR HEARING TO DETERMINE  
PARTITION OF PROPERTY UNDER PA R.C.P. 1557

AND NOW, comes the Plaintiffs Sandra L. Deandrea and Shannon L. Balter, by and through their Attorney, David R. Thompson, Esquire, who file the following Motion to request a hearing to have an Order directing partition of the real property:

1. Plaintiffs are Sandra L. Deandrea and Shannon L. Balter.
2. Defendants are Sean L. Geist and Blue Sky, a Pennsylvania General Partnership.
3. A Complaint in Partition was filed on September 20, 2007.
4. Ann B. Wood, Esquire has entered her appearance on behalf of Defendant Blue Sky, who filed an Answer to the Complaint in Partition denying the request.
5. Sean L. Geist was served with the Complaint in Partition on September 28, 2007 but has failed to file an Answer to the same.

6. Plaintiffs allege that an Order for Partition should be issued and that a Master in Partition be appointed.

WHEREFORE, Plaintiffs respectfully request that a hearing be scheduled to determine whether an Order in Partition should be issued pursuant to PA. R.C.P. 1557 and further request that a Master in Partition be appointed.

Respectfully submitted:



---

David R. Thompson, Esquire  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

## CIVIL DIVISION LAW

SANDRA L. COLEMAN N/K/A  
SANDRA L. DEANDREA AND  
SHANNON L. GEIST N/K/A  
SHANNON L. BALTER,

## Plaintiffs

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\* No. 07-1542-CD

vs.

SEAN L. GEIST AND BLUE SKY,  
A Pennsylvania General Partnership,

**Defendant**

\* FILED ON BEHALF OF:  
\* Plaintiffs

\* COUNSEL OF RECORD FOR  
\* THIS PARTY:  
\* David R. Thompson, Esq.  
\* Attorney at Law  
\* Supreme Court I.D. 73053  
\* P.O. Box 587  
\* 308 Walton Street, Suite 4  
\* Philipsburg PA 16866  
\* (814) 342-4100

FILED 2cc  
02/15/2008 Amy Thompson  
FEB 15 2008  
William A. Shaw  
Notary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION LAW

SANDRA L. COLEMAN N/K/A  
SANDRA L. DEANDREA AND  
SHANNON L. GEIST N/K/A  
SHANNON L. BALTER,

\*  
\*  
\*  
\*  
\*

Plaintiffs

\* No. 07-1542-CD  
\*

vs.

\*  
\*  
\*

SEAN L. GEIST AND BLUE SKY,  
A Pennsylvania General Partnership,

\*  
\*  
\*  
\*  
\*

Defendant

\*  
\*

**CERTIFICATE OF SERVICE**

TO THE PROTHONOTARY:

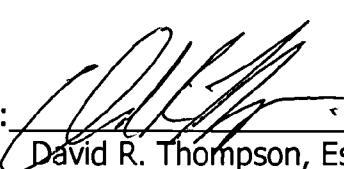
I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the Motion for Hearing to Determine Partition of Property Under PA R.C.P. 1557 in the above captioned matter by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

Ann B. Wood, Esquire  
BELL, SILBERBLATT & WOOD  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830

Sean L. Geist  
P.O. Box 57  
Wallaceton, PA 16876

DATE: 2-14-08

BY:

  
\_\_\_\_\_  
David R. Thompson, Esquire

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

SANDRA L. COLEMAN N/K/A  
SANDRA L. DEANDREA, and  
SHANNON L. GEIST N/K/A  
SHANNON L. BALTER

-vs-

No. 07-1542-CD

SEAN L. GEIST, and BLUE  
SKY, A Pennsylvania General  
Partnership

FILED

MAR 05 2008

011155/ *WS*

William A. Shaw  
Prothonotary/Clerk of Courts

2 CENT TO ATTY *Att. Shaw*

3 CENT TO ATTY *Att. Shaw*

O R D E R

AND NOW, this 5th day of March, 2008, following  
hearing on Plaintiff's Motion for Partition, it is ORDERED  
that no Master in Partition will be appointed at this time.  
Should it become necessary in the future for a Master to be  
appointed, either party may request that the Court do so.

BY THE COURT,

*J. Fisher J. Zimmerman*

President Judge

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

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs : Type of Case: Civil/Equity  
vs. : Type of Pleading: Motion for Status  
Conference :  
SEAN L. GEIST, an individual, and : Filed on behalf of: Blue Sky, Defendant  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants : Counsel for Blue Sky, Defendant:  
: Ann B. Wood, Esquire  
: Supreme Court No. 23364  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
: P.O. Box 670  
: Clearfield, PA 16830  
: (814) 765-5537

3cc Atty  
FILED 04/11/08 pm  
APR 21 2010  
Wood  
60

William A. Shaw  
Prothonotary/Clerk of Courts

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

SANDRA L. COLEMAN N/K/A	:	
SANDRA L. DEANDREA, an	:	No. 2007-1542-CD
individual, and SHANNON L. BALTER	:	
an individual	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
SEAN L. GEIST, an individual, and	:	
BLUE SKY, a Pennsylvania General	:	
Partnership	:	
Defendants	:	

**MOTION FOR STATUS CONFERENCE**

NOW COMES the Defendant, BLUE SKY, by its attorney, Ann B. Wood, Esquire and requests scheduling of a status conference in the above captioned matter and in support thereof avers as follows:

1. That a conference in this Partition proceeding was held on March 5, 2008 at which time Kim E. Mowry, Partner in Blue Sky and Sandra L. DeAndrea appeared.
2. That in lieu of appointing a Master, these Parties worked out an Agreement to complete the subdivision of the subject property and split the expense for the remaining subdivision process as well as the original survey.

3. That following the conference the Defendant, Blue Sky, has paid all expenses for and completed all paperwork for the subdivision which map was recorded in Clearfield County on July 7, 2008 as Instrument Number 200810641.

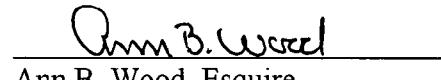
4. That the Defendant, Blue Sky, has prepared and submitted a proposed Quitclaim Deed to counsel for Plaintiffs which deed Plaintiffs were to get signed as part of the settlement agreement.

5. That, in addition, the Parties need to exchange deeds between Plaintiffs and both Defendants to complete the subdivision process.

6. That to date Plaintiffs have not followed through on securing the Quitclaim Deed and have had no communication in relation to completing the subdivision deed exchange.

WHEREFORE, Defendant, Blue Sky, would request the Honorable Court to schedule a status conference in the above captioned matter in order to determine the Plaintiffs' intention in this proceeding.

Respectively Submitted  
Bell, Silberblatt & Wood  
By:

  
\_\_\_\_\_  
Ann B. Wood, Esquire  
Attorney for Defendant, Blue Sky

CA

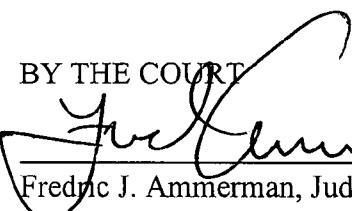
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION – EQUITY

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs :  
: :  
vs. :  
: :  
SEAN L. GEIST, an individual, and :  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants :  
:

**ORDER**

It is hereby ORDERED that a Status Conference is scheduled for the 28<sup>th</sup> day of  
MAY, 2010 at 3:30 P.m. in Courtroom No. 1 of the Clearfield  
County Courthouse.

BY THE COURT

  
Fredric J. Ammerman, Judge

4/26/10

FILED  
04/27/2010 3:30 PM  
S. APR 27 2010  
300  
Amy Wood  
William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

APR 27 2010

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 4/27/10

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 – EQUITY

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs : Type of Case: Civil/Equity  
vs. : Type of Pleading: Certificate of Service  
: Filed on behalf of: Blue Sky, Defendant  
SEAN L. GEIST, an individual, and :  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants : Counsel for Blue Sky, Defendant:  
: Ann B. Wood, Esquire  
: Supreme Court No. 23364  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
: P.O. Box 670  
: Clearfield, PA 16830  
: (814) 765-5537

FILED *cc AM*  
0/12:06pm Wood  
APR 28 2010

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

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

SANDRA L. COLEMAN N/K/A :  
SANDRA L. DEANDREA, an : No. 2007-1542-CD  
individual, and SHANNON L. BALTER :  
an individual :  
Plaintiffs :  
: :  
vs. :  
: :  
SEAN L. GEIST, an individual, and :  
BLUE SKY, a Pennsylvania General :  
Partnership :  
Defendants :  
:

CERTIFICATE OF SERVICE

I hereby certify that a Certified Copy of the Motion for Status Conference filed on behalf of the Defendant Blue Sky and Order in the above matter has been served upon the Attorney for the Plaintiffs and Sean L. Geist by mailing the same to them by United States First Class Mail, postage prepaid, addressed as follows on April 27, 2010:

David R. Thompson, Esquire  
308 Walton Street, Suite 4  
P.O. Box 587  
Philipsburg, PA 16866-0587

Sean L. Geist  
P.O. Box 57  
Wallaceton, PA 16876

Date: April 27, 2010

Ann B. Wood  
Ann B. Wood, Attorney for  
Defendant, Blue Sky

FILED

014:00 AM  
JUN 01 2010

ICC Attns:

Thompson  
Wood

William A. Shaw  
Prothonotary/Clerk of Courts

ICC Geist (610)

Po Box 57

Wallacetown, PA

16876

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

SANDRA L. COLEMAN, n/k/a )  
SANDRA L. DEANDREA, an ind., )  
and SHANNON L. BALTER, an ind) )  
VS. ) NO. 2007-1542-CD  
SEAN L. GEIST, an ind., and )  
BLUE SKY, a Pennsylvania )  
General Partnership )

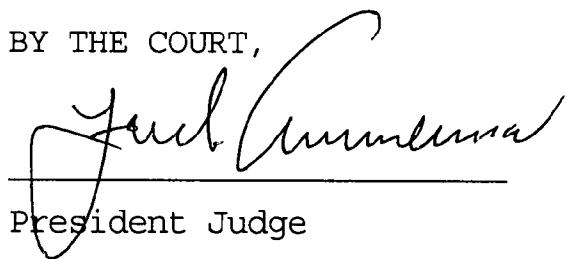
O R D E R

NOW this 28th day of May, 2010, this being the date set for status conference; the Court notes that the parties have previously agreed to partition the property and that all subdivision requirements have been met and proper subdivision documents filed in the Office of the Register and Recorder; upon agreement of the parties, it is the ORDER of this Court that all deeds which are required to be exchanged between the parties shall be prepared, executed, acknowledged and delivered, within no more than sixty (60) days from this date.

In the event the parties will be unable to

agree on the allocation and payment of costs, the parties may, upon request, ask the Court to schedule a hearing on this issue.

BY THE COURT,



A handwritten signature in black ink, appearing to read "James L. Cunniff". The signature is fluid and cursive, with "James" and "L." being more stylized and "Cunniff" being more legible.

President Judge

**FILED**

JUN 01 2010

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 6/1/10

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: