

07-1697-CD

T. Wolf al vs Clfd Cty Tax Claim

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

THADDEUS WOLF, and LAURA
R. WOLF, husband and wife

Plaintiffs

vs.

CLEARFIELD COUNTY TAX
CLAIM BUREAU

Defendant

NO. 2007-1697 -CD

Claim Nos. 2005-003791,
and 2006-003730

OBJECTIONS AND EXCEPTIONS
TO SALE OF PARCEL NO. 2-
B16-000-00023

Code: Civil

Filed on behalf of:
THADDEUS WOLF and
LAURA R. WOLF

Plaintiffs

FILED 3CC
0/11:45 am AKH
OCT 18 2007 Durant
WJ

William A. Shaw
Prothonotary/Clerk of Courts

Counsel of Record for this
party:

TIMOTHY E. DURANT, ESQUIRE
Pa. I. D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

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

THADDEUS WOLF, and LAURA
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Plaintiffs

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CLEARFIELD COUNTY TAX
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NO. 2007-

-CD

Claim Nos. 2005-003791,
and 2006-003730

OBJECTIONS AND EXCEPTIONS
TO SALE OF PARCEL NO. 2-
B16-000-00023

**OBJECTIONS AND EXCEPTIONS TO SALE OF
TAX PARCEL NO. 2-B16-000-00023**

AND NOW, come THADDEUS WOLF and LAURA R. WOLF, husband and wife, by and through their attorney, Timothy E. Durant, Esquire, and file the following objections and exceptions to the sale of property titled in their names, by the CLEARFIELD COUNTY TAX CLAIM BUREAU for delinquent taxes:

1. The Plaintiffs, THADDEUS WOLF and LAURA R. WOLF, are adult individuals who are husband and wife. They reside at 110 Butler Street, Ebensburg, (County of Cambria) PA 15931.

2. The Defendant, CLEARFIELD COUNTY TAX CLAIM BUREAU, is a county agency with offices at the Clearfield County Courthouse Annex at 230 East Market Street, in the Borough of Clearfield, Clearfield County, Pennsylvania 16830.

3. Plaintiff Thaddeus Wolf became owner of the subject parcel in Burnside Township by virtue of deed dated August 30,

1999, recorded in the Clearfield County Recorder's Office as Instrument No. 1999-14728 on September 3, 1999. The property is described in the assessment records as "H., Canopy and 112 A in fee". A photostatic copy of the aforesaid deed is attached hereto and incorporated herein by reference as Exhibit "A".

4. Plaintiff Laura R. Wolf became co-owner of the subject parcel in Burnside Township by virtue of deed dated March 28, 2002, recorded in the Clearfield County Recorder's Office as Instrument No. 2002-05212 on April 5, 2002. A photostatic copy of the aforesaid deed is attached hereto and incorporated herein by reference as Exhibit "B".

5. Plaintiffs conveyed an undivided one-half interest in the subject parcel in Burnside Township by deed dated May 24, 2007, recorded in the Clearfield County Recorder's Office as Instrument No. 2007-08818 on May 29, 2007. On said deed the precise residence of the grantees was noted to be "c/o Thaddeus Wolf, 110 Butler Street, Ebensburg, PA 15931". A photostatic copy of the aforesaid deed is attached hereto and incorporated herein by reference as Exhibit "C".

6. On April 17, 2007 the Clearfield County Tax Claim Bureau took payment from Thaddeus and Laura R. Wolf for the 2005 returned County and Township taxes in the amount of \$376.25 on claim No. 2005-003791. The check used for payment was No. 30074 drawn on Portage National Bank showing the address for plaintiffs to be 110 Butler Street, Ebensburg, PA 15931 and their phone number to be 814-471-1898. A photostatic copy of the aforesaid check is

attached hereto and incorporated herein by reference as Exhibit "D".

7. On June 25, 2007 the local tax collector for Burnside Township, Orvis Delcamp took payment for the 2007 County and Township taxes from Thaddeus and Laura R. Wolf in the total amount of \$326.70 on control No. 108050021. The check used for payment was No. 30104 drawn on Portage National Bank showing the address for plaintiffs to be 110 Butler Street, Ebensburg, PA 15931 and their phone number to be 814-471-1898. A photostatic copy of the aforesaid check is attached hereto and incorporated herein by reference as Exhibit "E".

8. On or about June 27, 2007 both of the required Sale Notices for claim #2005-003791 which had been sent to Thaddeus and Laura R. Wolf by restricted delivery to PO Box 151 Cherry Tree, PA 15724 were returned and marked "Return to Sender Unclaimed, Unable to Forward".

9. On or about August 28, 2007 the required 10 Day Notice of Public Tax Sale for claim #2005-003791 were sent to Thaddeus and Laura R. Wolf at PO Box 151 Cherry Tree, PA 15724 and neither one was received by them since the address was no longer valid.

10. Thaddeus Wolf was not personally served with notice of the sale nor does he recall ever seeing any postings of notice of sale on the property.

11. Laura R. Wolf was not personally served with notice of the sale nor does she recall ever seeing any postings of notice of sale on the property.

12. On or about September 14, 2007, the said property was sold for delinquent taxes under claim #2005-003791 by the CLEARFIELD COUNTY TAX CLAIM BUREAU pursuant to the Act of July 7, 1947, P.L. 1368 (Real Estate Tax Sale Law), Article VI, 72 P.S. \$5860.601, et seq.

13. The purchaser of the "H., Canopy and 112 A in fee" at the above referenced sale is believed to be Kim Mowery of Blue Sky.

14. The upset price was \$2,730.39 and the actual purchase price was \$14,000.00.

15. The sale of said properties was not held in accordance with the provisions of the said law; specifically, the following objections are raised:

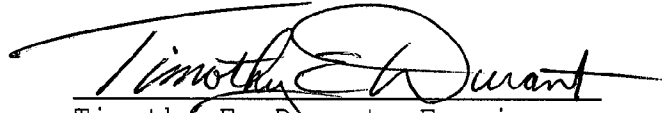
a. The CLEARFIELD COUNTY TAX CLAIM BUREAU failed to properly notify THADDEUS WOLF and LAURA R. WOLF of the sale scheduled for September 14, 2007, at 10:00 a.m. as required by §602(e)(2) of the Act.

b. Plaintiffs, THADDEUS WOLF and LAURA R. WOLF, were not aware of the fact that their property, of any of their interests were to be sold on said date.

c. The CLEARFIELD COUNTY TAX CLAIM BUREAU attempted to notify THADDEUS WOLF and LAURA R. WOLF of the sale scheduled for September 14, 2007, at 10:00 a.m. at their former address but by the date of said notices the address for these persons had changed to Ebensburg and their address at 110 Butler Street, Ebensburg, PA was known both by the Tax Claim Bureau and by the Local Tax Collector, the evidence of which is set out in Exhibits C, D and E

as noted above.

WHEREFORE, Plaintiffs, THADDEUS WOLF and LAURA R. WOLF, husband and wife, pray the Court to sustain their objections, vacate the Tax Claim Bureau sale and render it null and void because of lack of proper notice to them as required under the law so that the said House, Canopy & 112 Acres in fee (as assessed) situate at 690 Beaver Run Road in Burnside Township and identified as Tax Map No. 2-B16-000-00023 shall continue to be the property of THADDEUS WOLF and LAURA R. WOLF, husband and wife, subject to their previous partial conveyance.


Timothy E. Durant, Esquire
Attorney for Plaintiffs

Dated: October 17, 2007

THIS DEED

MADE THE 30th day of August, 1999 between

ERIC E. EMINHLIZER, single, of the Township of Derry, Mifflin County, Pennsylvania,
grantor

AND

THADDEUS WOLF, of Coatesville, Pa, grantee

WITNESSETH, That in consideration of (\$72,000.00) Seventy-two thousand Dollars in
hand paid, the receipt whereof is hereby acknowledged, the said grantor does hereby grant
and convey to the said grantee,

ALL THAT certain tract or parcel of land, situate in the Township of Burnside, County of
Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stone at corner of land of Aaron P. Yingling; thence by lands of
John Somerville and A.K. Beck, South 6° 4' West 884 feet to stones; thence by land of
Clark Lloyd, South 6° 26' West 1705 feet to post at corner of land of Myers Bowden;
thence by said land North 86° 10' West 687 feet to post corner of land of Lawrence
Albert Sharbaugh; thence by said land North 27° 28' West 527 feet to post; thence still
by said land of Lawrence Albert Sharbaugh, South 82° 26' West 576 feet to pine stump at
Beaver Run; thence North 50° 34' West 78 feet to a post; thence South 66° 57' West
216 feet to post; thence North 80° 10' West 93 feet to post; thence North 59° 4' West
130 feet to post; thence North 16° 6' East 135 feet to post; thence North 78° 38' East
200 feet to post; thence North 0° 5' East 161 feet to oak; thence North 26° West 26 feet
to post; thence North 71° 12' West 764 feet to post and stones; thence North 21° 54'
East 1690 feet to post in road at or near Little Beaver Run; thence South 44° 30' East
142 feet to post; thence North 58° 41' East 106 feet to post; thence South 77° 18' East
473.5 feet to post; thence South 39° 34' East 236 feet to post; thence North 73° East
429.3 feet to post; thence South 53° 56' East 446.2 feet to post; thence North 23° 38'
East 263.7 feet to post; thence North 71° 20' East 460 feet to stone; the place of
beginning.

CONTAINING 112 acres as surveyed by I. J. Pfeister, Civil Engineer, on December 2,
1919.

BEING the same premises which WALTER C. DUMM and HILDA FEES, Co-
Administrators, d.b.n.c.t.a. of the Estate of Philomena Dumm, deceased, of Spangler
Borough, Cambria County, Pennsylvania, ET. AL., by deed dated November 10, 1997 and
recorded January 20, 1998 at Record 1901, page 539, sold and conveyed to ERIC E.
EMINHLIZER, the grantor herein.

KAREN L. STARK
REGISTER AND RECORDER
CLEARFIELD COUNTY, PA
Pennsylvania
INSTRUMENT NUMBER
199914728
RECORDED ON
Sep 03, 1999
8:38:12 AM
RECORDING FEES - \$13.00
RECORDER
COUNTY IMPROVEMENT \$1.00
FUND
RECORDER
IMPROVEMENT FUND \$1.00
STATE TRANSFER \$720.00
TAX
STATE WRIT TAX \$0.50
HARMONY SCHOOLS \$720.00
TOTAL \$1,455.50

Sealed

Exhibit "A" (3 pgs)

UNDER AND SUBJECT to all exceptions, reservations, conditions, and restrictions as contained in prior deed of conveyance.

UNDER AND SUBJECT to reservation of gas and all rights appurtenant thereto as set forth in deed into grantors.

GRANTORS CERTIFY THAT no hazardous waste, within the meaning of the Solid Waste Management Act of 1980, is presently being disposed of or has ever been disposed of by the Grantors or to the Grantors' actual knowledge in or upon the above described premises.

AND THE SAID grantors hereby covenant and agree that they and each of them will warrant SPECIALLY the property hereby conveyed.

NOTICE

The undersigned grantee (grantees) hereby certify that he/she/they know and understand that he/she/they may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal.

Witness signatures of grantee (grantees) this 30 day of August, 1999

Francis Alear
Witness

Thad Wolf (Seal)

_____(Seal)

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 OF 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.

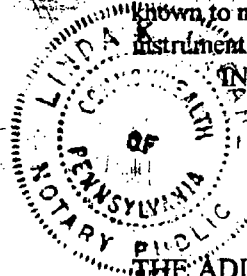
IN WITNESS WHEREOF, the said grantor has hereunto set his hand, the day and year first above written.

Eric E. Eminhizer
ERIC E. EMINHIZER

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Mifflin

On this, the 30th day of August, 1999, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Eric E. Eminhizer, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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

Notarial Seal
Linda K. McCarl, Notary Public
Lewistown Boro, Mifflin County
My Commission Expires Sept. 21, 2002
Member, Pennsylvania Association of Notaries

Linda K. McCarl
Notary Public

THE ADDRESS ABOVE THE ABOVE NAMED GRANTEE IS:

114 Woodland Ave. Coatesville Pa 19320
Francis Stearn

RECORDED in the Office for Recording of Deeds, etc., in and for said County, in Record Book _____ at page _____.

WITNESS my hand and official seal this _____ day of _____, 1999.

Recorder of Deeds

KAREN L. STARK
REGISTER AND RECORDER
CLEARFIELD COUNTY, PA
Pennsylvania

INSTRUMENT NUMBER

199914664

RECORDED ON

SEP 01, 1999

3:08:34 PM

RECORDING FEES - \$13.00

RECORDER

COUNTY IMPROVEMENT \$1.00

FUND

RECORDER

IMPROVEMENT FUND

STATE TRANSFER

TAX

STATE WMT TAX

HARMONY SCHOOLS

TOTAL

\$1,455.50

C Stearn

This Deed

Made the 28th day of MARCH, in the year TWO THOUSAND TWO.

BETWEEN THADDEUS WOLF AND LAURA R. WOLF, HIS WIFE, OF THE TOWNSHIP
OF BURNSIDE, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA,

A
N
D

Grantors

THADDEUS WOLF AND LAURA R. WOLF, HIS WIFE, OF LIKE RESIDENCE,

Grantees

WITNESSETH, that in consideration of

ONE-----(\$1.00)----- Dollars

in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and
convey to the said grantees, THEIR HEIRS AND ASSIGNS,

ALL THAT certain tract or parcel of land, situate in the Township of Burnside,
County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stone at corner of land of Aaron P. Yingling; thence by lands
of John Somerville and A.K. Beck, south 06 degrees 4' West 884 feet to stones;
thence by land of Clark Lloyd, South 06 degrees 26' West 1705 feet to post at
corner of land of Myers Bowden; thence by said land North 86 degrees 10' West
687 feet to post corner of land of Lawrence Albert Sharbaugh; thence by said land
North 27 degrees 28' West 527 feet to post; thence still by said land of Lawrence
Albert Sharbaugh, south 82 degrees 26' West 576 feet to pine stump at Beaver Run;
thence North 50 degrees 34' West 78 feet to a post; thence South 66 degrees 57'
West 216 feet to post; thence North 80 degrees 10' West 93 feet to post; thence
North 59 degrees 04' West 130 feet to post; thence North 16 degrees 06' East 135
feet to post; thence North 78 degrees 38' East 200 feet to post; thence North 00
degrees 05' East 161 feet to oak; thence North 26 degrees West 26 feet to post;
thence North 71 degrees 12' West 764 feet to post and stones; thence North 21
degrees 54' East 1690 feet to post in road at or near Little Beaver Run; thence South
44 degrees 30' East 142 feet to post; thence North 58 degrees 41' East 106 feet to
post; thence South 77 degrees 18' East 473.5 feet to post; thence South 39 degrees
34' East 236 feet to post; thence North 73 degrees East 429.3 feet to post; thence
South 53 degrees 56' East 446.2 feet to post; thence North 23 degrees 38' East
263.7 feet to post; thence North 71 degrees 20' East 460 feet to stone, the place of
beginning. Containing 112 acres as surveyed by I.J. Pfeister, Civil Engineer, on
December 2, 1919.

BEING the same land title which became vested in Thaddeus Wolf, by deed of
Eric E. Eminhizer, single, dated August 30, 1999 and recorded in Clearfield County
Recorder of Deeds office September 3, 1999, instrument number 199914728.

UNDER AND SUBJECT to all the exceptions, reservations, conditions and
restrictions as are contained in previous conveyances hereto.

Grantors have never conducted nor have any actual knowledge of the disposal of
hazardous wastes on the realty here conveyed.

This is a conveyance from husband and wife to husband and wife as tenants by
the entireties and is exempt from real estate transfer taxes.

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 RE-
MOVE 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.

Exhibit "B" (2 pgs)

And the grantor S do hereby covenant and agree that THEY will warrant
GENERALLY the premises hereby conveyed.
IN WITNESS WHEREOF, said grantorS have hereunto set THEIR hands and seals
the day and year first above written.

Signed, sealed and delivered in the
presence of

Janet S. Thomas
as to both

Thaddeus Wolf (SEAL)
THADDEUS WOLF

(SEAL)

Laura R. Wolf (SEAL)
LAURA R. WOLF

(SEAL)

(SEAL)

(SEAL)

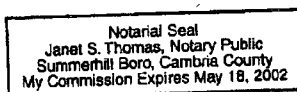
State of PENNSYLVANIA } SS:
County of CAMBRIA

On this, the 28th day of MARCH, 2002, before
me, the undersigned officer, personally appeared

THADDEUS WOLF AND LAURA R. WOLF, HIS 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 purposes therein con-
tained.

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



Janet S. Thomas
NOTARY PUBLIC
Title of Officer



I hereby certify that precise residence of the within named Grantees is 550 S. MAIN STREET, #151
CHERRY TREE, PA 15724

March 28, 2002

Fremont J. McKenrick
for Grantees

NOTICE

The undersigned grantee (grantees) hereby certifies that he/they know and understand
that he/they may not be obtaining the right of protection against subsidence resulting from
coal mining operations and that the purchased property may be protected from damage due
to mine subsidence by a private contract with the owners of the economic interests in the coal.

Witness signatures of grantee (grantees) this 28th day of MARCH, 2002

Janet S. Thomas
Witness

Thaddeus Wolf (SEAL)
(SEAL)

THADDEUS WOLF AND
LAURA R. WOLF, HIS WIFE,

GRANTORS

AND

THADDEUS WOLF AND
LAURA R. WOLF, HIS WIFE,

GRANTEES

Appd
KAREN L. STARK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER
200205212

RECORDED ON
APR 05, 2002
12:10:30 PM
Total Pages: 2

RECORDING FEES - \$13.00

RECORDER

COUNTY IMPROVEMENT FUND \$1.00

RECORDER

IMPROVEMENT FUND \$1.00

STATE WRT TAX \$0.50

TOTAL \$15.50

McKENRICK & MCKENRICK
109 S. CENTER STREET
ATTY'S. EBENSBURG, PA 15931

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

***RETURN DOCUMENT TO:**
MCKENRICK LAW OFFICE

Instrument Number - 200708818
Recorded On 5/29/2007 At 1:27:23 PM
* Instrument Type - DEED
* Total Pages - 3
Invoice Number - 167628
* Grantor - WOLF, THADDEUS
* Grantee - BRIGMAN, LLOYD J
* Customer - MCKENRICK LAW OFFICE

AFFIDAVIT No. 40268

*** FEES**

STATE TRANSFER TAX	\$330.94
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
HARMONY SCHOOLS REALTY TAX	\$165.47
BURNSIDE TOWNSHIP	\$165.47
TOTAL PAID	\$690.38

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 "C"

(3 pgs)

This Deed

Made the 24TH day of May, in the year Two Thousand Seven.

BETWEEN THADDEUS WOLF and LAURA R. WOLF, his wife, of the Borough of Ebensburg, County of Cambria and State of Pennsylvania,

A
N
D

Grantor S

LLOYD J. BRIGMAN and JENNIFER BRIGMAN, his wife, of the Township of Burnside, County of Clearfield and State of Pennsylvania,

Grantee S

WITNESSETH, that in consideration of

ONE (\$1.00) Dollars

in hand paid, the receipt whereof is hereby acknowledged, the said grantor S do hereby grant and convey to the said grantee S

A one-half (1/2) interest in and to all that certain tract or parcel of land, situate in the Township of Burnside, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stone at corner of land of Aaron P. Yingling; thence by lands of John Somerville and A.K. Beck, South 06 degrees 4' West 884 feet to stones; thence by land of Clark Lloyd, South 06 degrees 26' West 1705 feet to post at corner of land of Myers Bowden; thence by said land North 86 degrees 10' West 687 feet to post corner of land of Lawrence Albert Sharbaugh; thence by said land North 27 degrees 28' West 527 feet to post; thence still by said land of Lawrence Albert Sharbaugh, south 82 degrees 26' West 576 feet to pine stump at Beaver Run; thence North 50 degrees 34' West 78 feet to a post; thence South 66 degrees 57' West 216 feet to post; thence North 80 degrees 10' West 93 feet to post; thence North 59 degrees 04' West 130 feet to post; thence North 16 degrees 06' East 135 feet to post; thence North 78 degrees 38' East 200 feet to post; thence North 00 degrees 05' East 161 feet to oak; thence North 26 degrees West 26 feet to post; thence North 71 degrees 12' West 764 feet to post and stones; thence North 21 degrees 54' East 1690 feet to post in road at or near Little Beaver Run; thence South 44 degrees 30' East 142 feet to post; thence North 58 degrees 41' East 106 feet to post; thence South 77 degrees 18' East 473.5 feet to post; thence South 39 degrees 34' East 236 feet to post; thence North 73 degrees East 429.3 feet to post; thence South 53 degrees 56' East 446.2 feet to post; thence North 23 degrees 38' East 263.7 feet to post; thence North 71 degrees 20' East 460 feet to stone, the place of beginning. Containing 112 acres as surveyed by I.J. Pfeister, Civil Engineer, on December 2, 1919.

BEING the same land title which became vested in Thaddeus Wolf and Laura R. Wolf, his wife, by deed of Thaddeus Wolf and Laura R. Wolf, his wife, dated March 28, 2002 and recorded in Clearfield County Recorder of Deeds office, April 5, 2002, instrument number 200205212.

UNDER AND SUBJECT to all the exceptions, reservations, conditions and restrictions as are contained in previous conveyances hereto.

Grantors have never conducted nor have any actual knowledge of the disposal of hazardous wastes on the realty here conveyed.

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.

And the grantor S do hereby covenant and agree that they will warrant generally the premises hereby conveyed.
IN WITNESS WHEREOF, said grantors have hereunto set their hands and seal s the day and year first above written.

Signed, sealed and delivered in the presence of

Janet S. Thomas
as to both

Thaddeus Wolf
Thaddeus Wolf

Laura R. Wolf
Laura R. Wolf

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

State of Pennsylvania
County of Cambria

SS:

On this, the 24th day of May, 2007, before me, the undersigned officer, personally appeared

Thaddeus Wolf and Laura R. Wolf, his wife,
known to me (or satisfactorily proven) to be the person S whose name S are subscribed to the within instrument, and acknowledged that t he Y executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Janet S. Thomas, Notary Public
Summerhill Boro, Cambria County
My Commission Expires June 15, 2010

Janet S. Thomas
Notary Public
Title of Officer

I hereby certify that precise residence of the within named Grantee S is:

May 24, 2007

Thaddeus Wolf
110 Butler St.
Ebensburg, PA 15931

Thaddeus Wolf
For Grantees

NOTICE

The undersigned grantee (grantees) hereby certifies that he/they know and understand that he/they may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal.

Witness signatures of grantee (grantees) this 24th day of MAY, 2007

Janet S. Thomas
Witness

Thaddeus Wolf (SEAL)
Laura R. Wolf (SEAL)

THADDEUS WOLF and
LAURA R. WOLF, his wife,

Grantors

A N D


LLOYD J. BRIGMAN and
JENNIFER BRIGMAN, his wife,

Grantees

Beed

McKenrick Law Office
109 S. Center Street
Ebensburg, PA 15931

Portage National Bank

LAURA R WOLF 110 BUTLER ST EBENSBURG PA 159310000 8144711898		PORTAGE NATIONAL BANK 325 INDUSTRIAL PARK RD P O BOX 660 EBENSBURG PA 15931		Online Payment Service 400 SW Sixth Avenue, Suite 906 Portland, OR 97204 1-800-608-6869 1616		No. 0000030074 Date: 04/13/2007	
CREDIT TO ACCOUNT: 2006-003730 690 Beaver Run Rd.		FOR: Wolf, Thaddeus & Laura R.		PAY EXACTLY: \$376.25			
PAY EXACTLY		*****Three Hundred Seventy Six and 25/100 DOLLARS					
2.1.176 1 MB 0.325 06331S11.MIC 1 of 1 3867404 							
PAY TO THE ORDER OF:		CLEARFIELD COUNTY TAX CLAIM BUREAU 230 East Market St., Suite 121 Clearfield PA 16830-2448		176		Valid after 90 days	
				Signature on File		Authorized Signature	
Memo Control #108050021, map#B16-000-00023							
@0000030074@ :031317636: 889904049@ @0000037625@							

Account:889904049-D, Item:100100279, Amount:\$376.25, Date:04/18/2007

0811601776 04182007 031000040 FRB PHILA ENT=2036 TRC=80624874		00000100000100100100279 04-18-2007	
043000261 5089-018 04172007 0700798157		19810010882158 041787	

CLEARFIELD CO. TAX CLAIM BUREAU
 FOR DEPOSIT TO ACCOUNT 131813
 COUNTY NATIONAL BANK
 03/13/2007
 PH-102-02-021

Account:889904049-D, Item:100100279, Amount:\$376.25, Date:04/18/2007

*Pd on Tax Claim Bureau
 accounting for 2005-003791 (claim#)*

Cleared & Credited

Exhibit "D"

LAURA R WOLF 110 BUTLER ST EBENSBURG PA 159310000 8144711898	PORTAGE NATIONAL BANK 325 INDUSTRIAL PARK RD P O BOX 660 EBENSBURG PA 15931	Online Payment Service 400 SW Sixth Avenue, Suite 906 Portland, OR 97204 1-800-608-6869 1016
		No. 0000030104
CREDIT TO ACCOUNT:	FOR:	Date: 06/15/2007
Ctrl#108050021 Map#B16-000-000	Wolf, Thaddeus & Laura R	PAY EXACTLY: \$326.70
PAY EXACTLY		*****Three Hundred Twenty Six and 70/100 DOLLARS
21.221 1 NR 0.360 53184S11.MIC 1 of 1 4079124		
PAY TO THE ORDER OF:	ORVIS DELCAMP, TAX COLLECTOR 4116 Ridge Road Westover PA 16692-8707	221 Void after 90 days
Memo Bill #1295		<u>Signature on File</u> Authorized Signature

1210354605-23476-4289
06252046-00013-01289
031008242-032-0100000000801000080247 86-25-2997
ENT=0301-2816-076-0019 4K-14

20070622 09 048 011033159 02 >043306826<
FIRST COMMONWEALTH BANK
INDIANA, PA 15701
>043306826<

PAY TO ORDER OF
FIRST COMMONWEALTH BANK
FOR DEPOSIT ONLY
ORVIS DEL CAMP, TAX COLLECTOR
ACCT # 03 01 0038 6

Pd +
credited for Spring Taxes
as face amt. for 2007 Taxes

Cleared -
not credited

Exhibit "E"

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

THADDEUS WOLF, and LAURA
R. WOLF, husband and wife

Plaintiffs

vs.

CLEARFIELD COUNTY TAX
CLAIM BUREAU

Defendant

NO. 2007-1697-CD


Claim Nos. 2005-003791,
and 2006-003730

OBJECTIONS AND EXCEPTIONS
TO SALE OF PARCEL NO. 2-
B16-000-00023

AFFIDAVIT OF SERVICE

I, Michael Luongo, verify that on October 18, 2007 I did hand deliver one (1) certified copy of the **OBJECTIONS AND EXCEPTIONS TO SALE OF PARCEL NO. 2-B16-000-00023**. Said Document was hand delivered to the person in charge at the office of the Clearfield County Tax Claim Bureau which is located at 230 E. Market Street, Clearfield, PA 16830.

I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904, relating to unsworn falsification to authorities.


Michael Luongo

Dated: October 18, 2007

FILED
01:03 P.M. GK
OCT 18 2007 NO CC
William A. Shaw
Prothonotary/Clerk of Courts

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711



CP

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

THADDEUS WOLF, and LAURA
R. WOLF, husband and wife

Plaintiffs

vs.

CLEARFIELD COUNTY TAX
CLAIM BUREAU

Defendant

NO. 2007-1697-CD

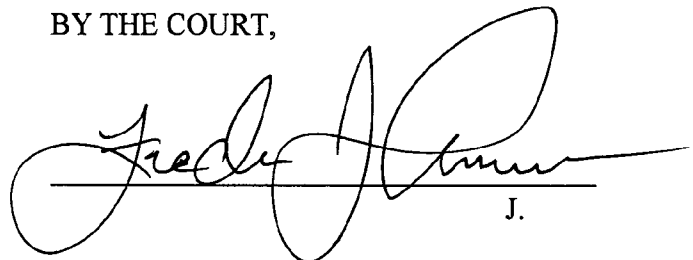
Claim Nos. 2005-003791,
and 2006-003730

OBJECTIONS AND EXCEPTIONS
TO SALE OF PARCEL NO. 2-
B16-000-00023

ORDER OF COURT

AND NOW, this 23 day of October, 2007, upon consideration of the Objections and Exceptions To Sale Of Parcel No. 2-B16-000-00023 filed by Plaintiffs Thaddeus Wolf and Laura R. Wolf, it is hereby ordered that Argument shall be held on November 14, 2007 at 11:00 A.m. in Courtroom No. 1 of the Clearfield County Courthouse as to why the relief requested should not be granted.

BY THE COURT,


J.

FILED

014-000012CC
OCT 23 2007

William A. Shaw
Prothonotary/Clerk of Courts

FILED

OCT 23 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/23/07

☒ You are responsible for serving all appropriate parties.
____ The Prothonotary's office has provided service to the following parties:
____ Plaintiff(s) ____ Plaintiff(s) Attorney ____ Other
____ Defendant(s) ____ Defendant(s) Attorney
____ Special Instructions:

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

THADDEUS WOLF, and LAURA
R. WOLF, husband and wife

Plaintiffs

vs.

CLEARFIELD COUNTY TAX
CLAIM BUREAU

Defendant

NO. 2007-1697-CD

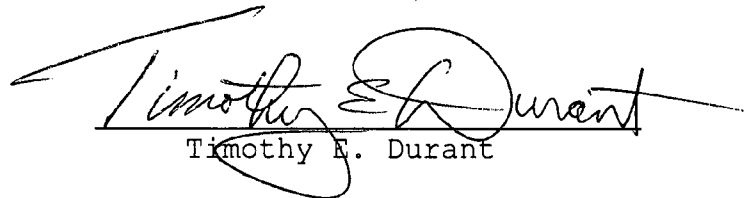
Claim Nos. 2005-003791,
and 2006-003730

OBJECTIONS AND EXCEPTIONS
TO SALE OF PARCEL NO. 2-
B16-000-00023

AFFIDAVIT OF SERVICE

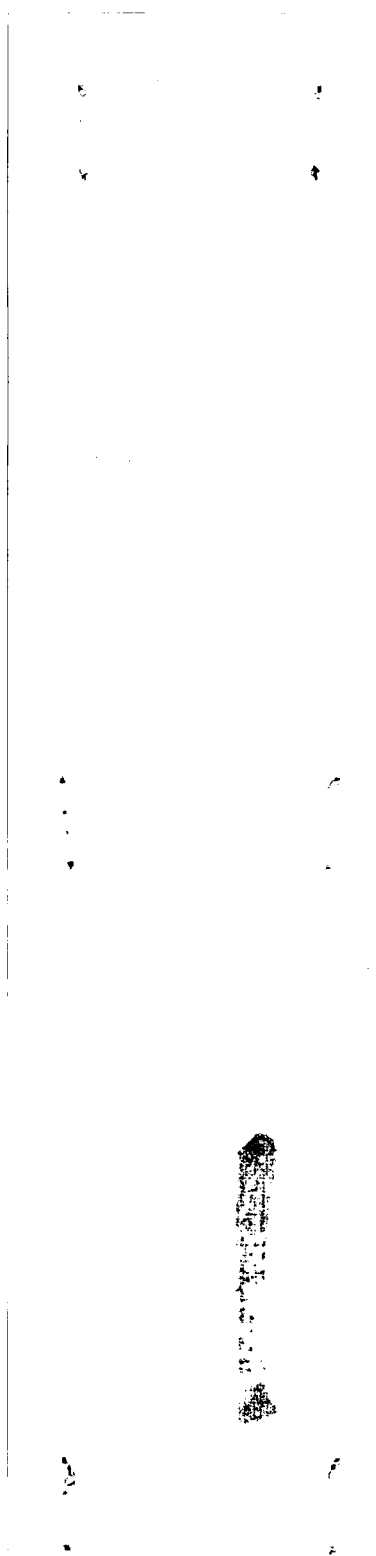
I, Timothy E. Durant, verify that on October 24, 2007 I did hand deliver one (1) certified copy of the **ORDER OF COURT** dated October 23, 2007 in the above case. Said Document was hand delivered to the person in charge at the office of the Clearfield County Tax Claim Bureau which is located at 230 E. Market Street, Clearfield, PA 16830.

I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904, relating to unsworn falsification to authorities.


Timothy E. Durant

Dated: October 24, 2007

FILED *no cc*
010/25/07
OCT 25 2007
William A. Shaw
Prothonotary/Clerk of Courts



CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

THADDEUS WOLF and :

LAURA R. WOLF, husband and wife :

VS. : NO. 1697-2007-CD


CLEARFIELD COUNTY :

TAX CLAIM BUREAU :

O R D E R

AND NOW, this 14th day of November, 2007, upon agreement by the Clearfield County Tax Claim Bureau, Plaintiffs and the purchaser at tax sale, Blue Sky, it is hereby ORDERED and DECREED that Plaintiffs' objections and exceptions to tax sale of tax parcel no. 2-B16-000-00023 be and are hereby sustained and the tax sale on claim no. 2005-003791 is vacated.

BY THE COURT,



President Judge

FILED 2cc Amy Durant
019:5289
NOV 16 2007 2cc Def.

William A. Shaw
Prothonotary/Clerk of Courts

(GK)

FILED

NOV 16 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/16/07

____ You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

____ Plaintiff(s) X Plaintiff(s) Attorney ____ Other

X Defendant(s) ____ Defendant(s) Attorney

____ Special Instructions: