

07-1697-CD
T. Wolf al vs Clfd City 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 : NO. 2007-1697 -CD
vs. :
: Claim Nos. 2005-003791,
: and 2006-003730
CLEARFIELD COUNTY TAX :
CLAIM BUREAU :
Defendant : 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
10/11/45pm A/H
OCT 18 2007 Durant
W.A. Shaw

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	:	
R. WOLF, husband and wife	:	
	:	NO. 2007-
Plaintiffs	:	-CD
	:	
	:	Claim Nos. 2005-003791,
	:	and 2006-003730
vs.	:	
	:	
CLEARFIELD COUNTY TAX	:	
CLAIM BUREAU	:	OBJECTIONS AND EXCEPTIONS
	:	TO SALE OF PARCEL NO. 2-
	:	B16-000-00023
Defendant	:	

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:

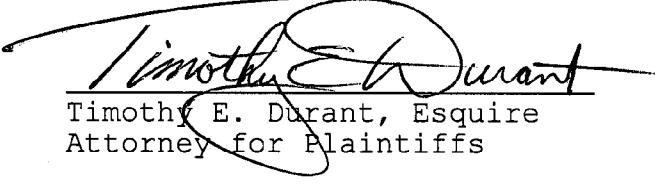
a. The CLEARFIELD COUNTY TAX CLAIM BUREAU failed to properly notify THADDEUS WOLF and LAURA R. WOLF of the sale scheduled for September 14, 2007, at 10:00 a.m. as required by §602(e)(2) of the Act.

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

Timothy E. Durant, Esquire
Attorney for Plaintiffs

Dated: October 17, 2007

THIS DEED

MADE THE 30th day of August, 1999 between

ERIC E. EMINHIZER, 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. EMINHIZER, the grantor herein.

KAREN L. STARCK REGISTER AND RECORDER CLEARFIELD COUNTY, PA Pennsylvania	INSTRUMENT NUMBER 199914728	RECORDED ON Sep 03, 1999	RECORDED AT 8:38:12 AM	RECORDING FEES - \$13.00	
				RECORDED FUND	\$1.00
				IMPROVEMENT FUND	\$1.00
				STATE TRANSFER	\$720.00
				TAX	
				STATE WRIT TAX	\$0.50
				HARMONY SCHOOLS	\$720.00
				TOTAL	\$1455.50

→ 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 Aeber
Witness

Thelma 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.

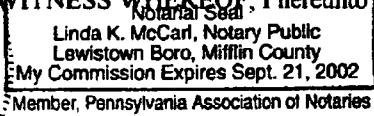
IN WITNESS WHEREOF, the said grantor has hereunto set his hand, the day and year first above written.

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.



Linda K. McCarl
Notary Public

THE ADDRESS ABOVE THE ABOVE NAMED GRANTEE IS:

114 Woodland Ave. Coatesville Pa 19320
Francis Heaver

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. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY, PA
Pennsylvania
INSTRUMENT NUMBER
199914654
RECORDED ON
Sep 01 1999
3:08:34 PM
RECORDING FEES - \$13.00
RECORDED
RECORDED
FUND
COUNTY IMPROVEMENT \$1.00
RECORDED
IMPROVEMENT FUND \$4.00
STATE TRANSFER \$126.00
TAX \$0.50
STATE WPT TAX \$720.00
HARMONY SCHOOLS \$1,455.50
TOTAL \$1,455.50
C. Scaroni

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 grantor S 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 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.

Exhibit "B" (2 pgs)

And the grantorS 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)
LAURA R. WOLF (SEAL)
..... (SEAL)
..... (SEAL)

State of PENNSYLVANIA }
County of CAMBRIA } SS:

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.

Notarial Seal
Janet S. Thomas, Notary Public
Summerhill Boro, Cambria County
My Commission Expires May 16, 2002

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. McKenrich
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

A N D

THADDEUS WOLF AND
LAURA R. WOLF, HIS WIFE,

GRANTEE'S

KAREN L. STARCK	
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	\$0.50
COUNTY IMPROVEMENT	\$1.00
FUND	
RECORDER	\$1.00
IMPROVEMENT FUND	
STATE WRT TAX	\$0.50
TOTAL	\$15.50
MCKENRICK & MCKENRICK ATTY'S. 209 CENTER STREET 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	\$165.47
TAX	
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 pg's)

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 (SEAL)
Thaddeus Wolf

Laura R. Wolf (SEAL)
Laura R. Wolf

Laura R. Wolf (SEAL)
Laura R. Wolf

Laura R. Wolf (SEAL)
Laura R. Wolf

State of Pennsylvania
County of Cambria } SS:

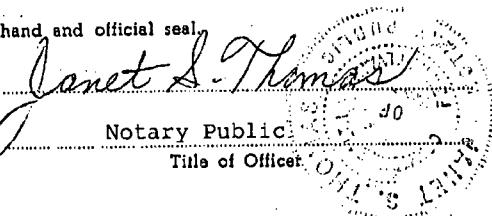
On this, the 24th day of May, 2007, before me, the undersigned officer, personally appeared

Thaddeus Wolf and Laura R. Wolf, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they 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: *96 Thaddeus Wolf*
110 Butler St.
Ebensburg, PA 15931

May 24, 2007

Janet S. Thomas
For Grantee/s

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

Laura R. 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

App

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

Portage National Bank

Laura R Wolf 110 Butler St Ebensburg, PA 15931-0000 814-471-1189	PORTAGE NATIONAL BANK 325 INDUSTRIAL PARK RD PO BOX 660 EBENSBURG, PA 15931	Online Payment Service 400 SW 11th 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: *****Three Hundred Seventy Six and 25/100 DOLLARS	
PAY EXACTLY		2.1.176 1 MB 0.326 06331S11.MIC 1 of 1 3867404	
PAY TO		176	
THE ORDER OF:	CLEARFIELD COUNTY TAX CLAIM BUREAU 230 East Market St., Suite 121 Clearfield PA 16830-2448	Void after 90 days	
Memo Control #108050021, map#B16-000-00023		Signature on File	Authorized Signature
100000030074 10313176361		889904049	10000037625

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

0811601776 04182007 031000040 FRB PHILA ENT=2036 TRC 80624874	88888100000100100100279 04-18-2007	172-25-521 PMT 03/2007 CLEARFIELD CO. TAX CLAIM BUREAU FEDERAL TAX ACCOUNTS PORTAGE NATIONAL BANK
6609 - 19310269 043000261 5089-018 04172007 0700798157	19310269278 CLEARFIELD, PA 193102108862158 041787	

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"

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 1016	No. 0000030104 Date: 06/15/2007
CREDIT TO ACCOUNT: Ctrl#108050021 Map#B16-000-000	FOR: Wolf, Thaddeus & Laura R	PAY EXACTLY: \$326.70	
PAY EXACTLY <u>Three Hundred Twenty Six and 70/100 DOLLARS</u>			
2.1.221 1 MB 0.360 53184511.MIC 1 of 1 4070124			
PAY TO THE ORVIS DELCAMP, TAX COLLECTOR 4146-Ridge-Road Weslover PA 16692-8707		221	Valid after 90 days
Signature on File _____ Authorized Signature _____			
Memo <u>Bill #1295</u>			
100000030104		889904049	0000032670

Account:889904049-D, Item:100080247, Amount:\$326.70, Date:06/25/2007

1210354605 023172
062520000-0001594289
031000148072-PIERSON 08800881000088247 86-25-2887
ENT-0231720000-0001594289 14

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

PAY TO ORDER OF
FIRST COMMONWEALTH BANK
FOR DEBT ONLY
ORVIS DELCAMP TAX COLLECTOR
ACCT #15000386

Account:889904049-D, Item:100080247, Amount:\$326.70, Date:06/25/2007

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 : NO. 2007-1697-CD
vs. :
CLEARFIELD COUNTY TAX CLAIM BUREAU :
Defendant : 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
Michael Luongo

Dated: October 18, 2007

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

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-7771

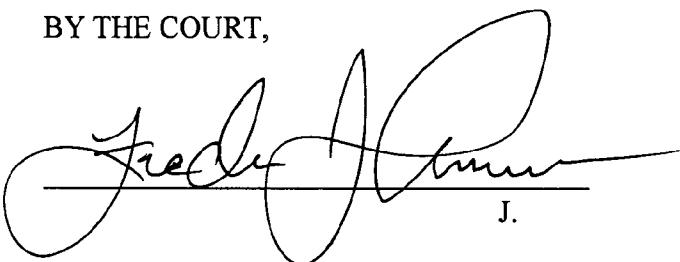
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

THADDEUS WOLF, and LAURA R. WOLF, husband and wife :
Plaintiffs : NO. 2007-1697-CD
vs. :
CLEARFIELD COUNTY TAX CLAIM BUREAU : Claim Nos. 2005-003791,
Defendant : 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,



FILED
01400512CC
OCT 23 2007 Atty Duran

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:

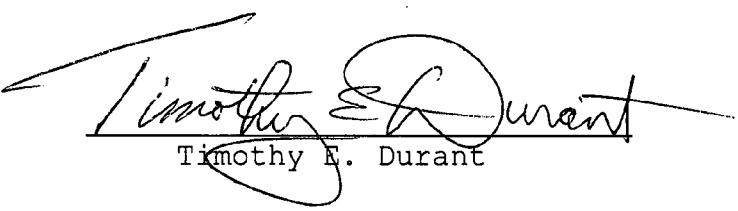
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

THADDEUS WOLF, and LAURA R. WOLF, husband and wife :
Plaintiffs : NO. 2007-1697-CD
vs. : Claim Nos. 2005-003791,
: and 2006-003730
CLEARFIELD COUNTY TAX :
CLAIM BUREAU :
Defendant : 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
010256
OCT 25 2007
NO CC

William A. Shaw
Prothonotary/Clerk of Courts

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 *acc Atty Durant*
01052007 *acc def.*
NOV 16 2007

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.

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

Plaintiff(s) Plaintiff(s) Attorney Other
 Defendant(s) Defendant(s) Attorney

Special Instructions: