

07-1770-CD
Cfda City Tax Claim vs ^R Slovikosky

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

IN RE:

Return by Clearfield
County Tax Claim Bureau
of Sale of Properties
for Unpaid Tax Claims
2007 Upset Tax Sale

: No.: 2007-1770-CD
: Type of Case:
: Civil
: Type of Pleading:
: Objections and
: Exceptions to Return
: Filed on behalf of:
: Robert Slovikosky
: Counsel of Record for
: This Party:
: Girard Kasubick, Esq.
: Supreme Court #30109
: LEHMAN & KASUBICK
: 611 Brisbin Street
: Houtzdale, PA 16651
: (814) 378-7840

IN RE:

Robert Slovikosky,
Objector

FILED
01/11/2007
NOV 01 2007
cc
Atty Kasubick
WAS

William A. Shaw
Prothonotary/Clerk of Courts

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

IN RE: :

Return by Clearfield : No.: 2007- -CD
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Robert Slovikosky, :
Objector :
:

OBJECTIONS AND EXCEPTIONS TO RETURN

AND NOW, comes Objector, Robert Slovikosky, by and through his attorney, Girard Kasubick, Esq., and files this Objections and Exceptions to the September 14, 2007 Clearfield County Tax Sale based upon the following:

1. The Objector is Robert Slovikosky, who resides at 7919 Heverly Blvd., P.O. Box 236, Coalport, PA 16627.
2. The Objector is the owner of a fifty (50%) percent interest in real property located in Beccaria Township, Clearfield County, Pennsylvania and known by Tax Map No. 101-H17-138 assessed as 0.27 acres.

3. The Objector, at his address noted above, did receive three (3) Notices of the Tax Sale on three (3) properties being Tax Map Nos. 101-H17-35, 101-H17-35-DW-01 and 101-H17-138 in June 2007.

4. The Objector entered into an agreement to pay the 2005 taxes on Tax Map Nos. 101-H17-35 and 101-H17-35-DW-01 on July 16, 2007 and is paying under said agreement and those properties were removed from the tax sale. The Objector believed he had also entered into an agreement to make payment of 2005 taxes on Tax Map No. 101-H17-138 on July 16, 2007 because when he asked the employee of the Tax Claim Bureau that he was working with on July 16, 2007 if he had made an agreement on all his properties the employee responded that he had done so on all his properties.

5. The Objector believed he had paid taxes on all his properties on July 16, 2007 in a manner to remove all his properties from the 2007 Tax Sale, but apparently an agreement was not done on Tax Map No. 101-H17-138.

6. It appears from a review of the Tax Claim Bureau records that the Tax Claim Bureau did send out the

required ten (10) days notice of the sale on Tax Map No. 101-H17-138 in late August or early September 2007, but the Objector did not see any such notice of the pending sale of this tract of land and only learned of the sale afterwards.

7. The above real property known by Tax Map No. 101-H17-138, Claim Number 2005-001996 was sold at the September 14, 2007 Upset Tax Sale to William H. Oshall.

8. The Objector hereby objects and excepts to the Upset Tax Sale to William H. Oshall, because the Tax Claim Bureau misinformed the Objector that he had made arrangements and paid taxes sufficient to remove all his properties from the 2007 Tax Sale, but in fact Tax Map No. 101-H17-138 was not handled to remove it from the 2007 Tax Sale.

9. The Objector is willing to pay all back taxes on Tax Map No. 101-H17-138 for the years 2005 and 2006, if the tax sale of this property is overturned.

WHEREFORE, Objector requests your Honorable Court to overturn, set aside, and invalidate the Upset Tax Sale of Tax Map No. 101-H17-138 to William H. Oshall and Order the

Tax Claim Bureau to proceed as the Court determines under the provisions of the Real Estate Tax Sale Law 72 P.S. § 5860.101 et sec. and specifically 72 P.S. § 5860.607(e).

Respectfully Submitted,



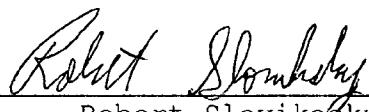
Girard Kasubick
Girard Kasubick, Esq.,
Attorney for Objector

VERIFICATION

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

DATE:

10/31/09



Robert Slovickosky
Robert Slovickosky

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

IN RE:

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County Tax Claim Bureau
of Sale of Properties
for Unpaid Tax Claims
2007 Upset Tax Sale

: No.: 2007-1770-CD
: Type of Case:
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: Return of Proof
: of Service
: Filed on behalf of:
: Robert Slovikosky
: Counsel of Record for
: This Party:
: Girard Kasubick, Esq.
: Supreme Court #30109
: LEHMAN & KASUBICK
: 611 Brisbin Street
: Houtzdale, PA 16651
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IN RE:

Robert Slovikosky,
Objector

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9:35 AM
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William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

IN RE: :

Return by Clearfield : No.: 2007-1770-CD
County Tax Claim Bureau :
of Sale of Properties :
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2007 Upset Tax Sale :
:

IN RE: :

Robert Slovikosky, :
Objector :
:

RETURN OF PROOF OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
\$:
COUNTY OF CLEARFIELD :
:

Before me, Shelby Podliski, personally appeared
Girard Kasubick, Esq., who being duly sworn according to
law, deposes and says that he hand delivered in person a
certified copy of the Objections and Exceptions to Return
on Mary Stewart, Bookkeeper, in the Office of the
Clearfield County Tax Claim Bureau in the Courthouse Annex
at 230 East Market Street on November 1, 2007 at 11:30
a.m. in the above-captioned matter.

Sworn to and subscribed
before me this 1st day
of November, 2007.


Girard Kasubick, Esq.

N.Y.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Shelby Podliski, Notary Public
Houtzdale Boro, Clearfield County
My Commission Expires June 29, 2011

Member, Pennsylvania Association of Notaries

FILED

NOV - 2 2007

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

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

IN RE:

Return by Clearfield : No.: 2007-1770-CD
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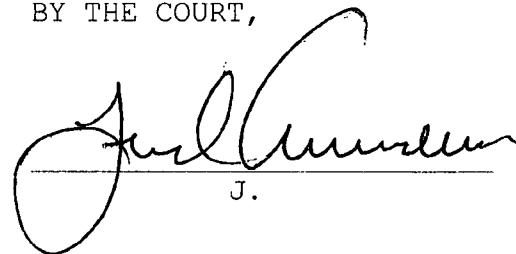
IN RE:

Robert Slovikosky, :
Objector :
:

ORDER

NOW, this 5th day of November, 2007, upon
consideration of the attached Objections and Exceptions to
Return, it is hereby ORDERED and DECREED that a hearing on
the Objections and Exceptions to Return is scheduled for
18th day of DECEMBER, 2007, in the Clearfield
County Courthouse in Court Room No. 1 at 11:00
A.m. o'clock.

BY THE COURT,


J.

FILED ^{ICC}
01/8/25/04 Atty Kasubick
NOV 06 2007

(6)

William A. Shaw
Prothonotary/Clerk of Courts

FILED

NOV 06 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/06/07

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 Other

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: Return by Clearfield : JF

County Tax Claim Bureau of Sale :

of Properties for Unpaid Tax : NO. 07-1770-CD

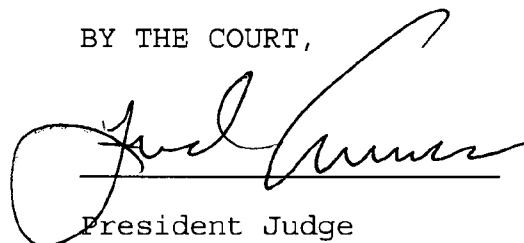
Claims 2007 Upset Tax Sale :

IN RE: Robert Sloviskosky :

O R D E R

AND NOW, this 18th day of December, 2007, following hearing on the Petition to Upset Tax Sale, it is the ORDER of this Court that counsel for the parties have no more than fifteen (15) days to submit letter brief relative the issue of the 10-day notice.

BY THE COURT,



President Judge

FILED ^{ICC}
013-2561 Tax Claim
DEC 18 2007 Atty Kosabick

William A. Shaw
Prothonotary/Clerk of Courts

(60)

FILED

DEC 18 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 12/18/07

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 Tax Claim and
 Defendant(s) Defendant(s) Attorney Atty Kasubick
 Special Instructions:

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

IN RE: * NO. 07-1770-CD
RETURN, BY CLEARFIELD COUNTY *
TAX CLAIM BUREAU OF SALE OF PROPERTIES *
FOR UNPAID TAX CLAIMS 2007 UPSET SALE *

IN RE: *
ROBERT SLOVIKOSKY *

ORDER

NOW, this 11 day of January, 2008, following evidentiary hearing and review of the parties' briefs, it is the ORDER of this Court that the Objections and Exceptions filed on behalf of Robert Slovikosky be and are hereby dismissed. The tax sale in question is hereby affirmed.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FREDERIC J. AMMERMAN
President Judge

President Judge

FILED

JAN 11 2008

6/4/05 (5)

William A. Shaw

Prothonotary/Clerk of Courts

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