

07-1770-CD

Clfd Cty Tax Claim vs ^{R.}Slovikosky

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

IN RE: : No.: 2007-1770-CD
: Type of Case:
Return by Clearfield : Civil
County Tax Claim Bureau : Type of Pleading:
of Sale of Properties : Objections and
for Unpaid Tax Claims : Exceptions to Return
2007 Upset Tax Sale : Filed on behalf of:
: Robert Slovikosky
IN RE: : Counsel of Record for
: This Party:
Robert Slovikosky, : Girard Kasubick, Esq.
Objector : Supreme Court #30109
: LEHMAN & KASUBICK
: 611 Brisbin Street
: Houtzdale, PA 16651
: (814) 378-7840

FILED 2cc
01/11/17/01 Atty Kasubick
NOV 01 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- -CD
County Tax Claim Bureau :
of Sale of Properties :
for Unpaid Tax Claims :
2007 Upset Tax Sale :
:
IN RE: :
:
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).

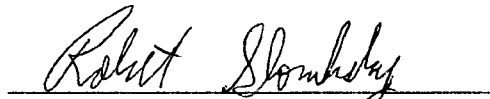
Respectfully Submitted,


Girard Kasubick, 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 Slovick

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

IN RE:	:	No.: 2007-1770-CD
	:	Type of Case:
Return by Clearfield	:	Civil
County Tax Claim Bureau	:	Type of Pleading:
of Sale of Properties	:	Return of Proof
for Unpaid Tax Claims	:	of Service
2007 Upset Tax Sale	:	Filed on behalf of:
	:	Robert Slovikosky
IN RE:	:	Counsel of Record for
	:	This Party:
Robert Slovikosky,	:	Girard Kasubick, Esq.
Objector	:	Supreme Court #30109
	:	LEHMAN & KASUBICK
	:	611 Brisbin Street
	:	Houtzdale, PA 16651
	:	(814) 378-7840

FILED No CC.
99:35
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
County Tax Claim Bureau :
of Sale of Properties :
for Unpaid Tax Claims :
2007 Upset Tax Sale :
:
IN RE: :
:
Robert Slovikosky, :
Objector :

RETURN OF PROOF OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :

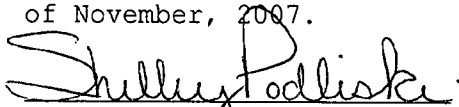
§:

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.F.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Shelby Podliski, Notary Public
Houtzdale Boro. Clearfield County
My Commission Expires June 28, 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 :
County Tax Claim Bureau : No.: 2007-1770-CD
of Sale of Properties :
for Unpaid Tax Claims :
2007 Upset Tax Sale :

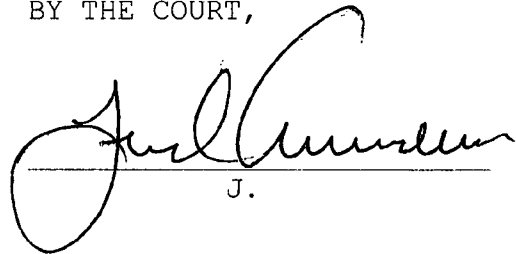
IN RE:

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
NOV 06 2007

ICC
Atty Kasubick

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

☐ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

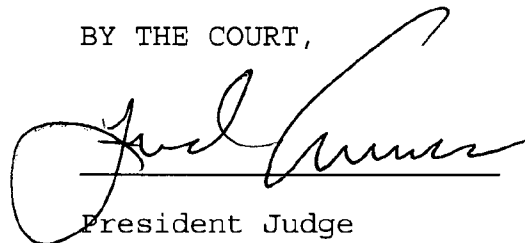
CIVIL DIVISION

IN RE: Return by Clearfield :
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}
03:25/01 Tax Claim
DEC 18 2007 Amy Kasabick

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.

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

____ Plaintiff(s) ____ Plaintiff(s) Attorney X Other Tax Claim and

____ Defendant(s) ____ Defendant(s) Attorney Atty Kasubick

____ Special Instructions:

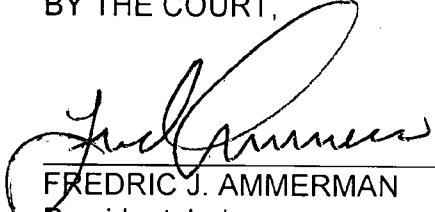
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

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

FILED

JAN 11 2008
6/4:00 PM
William A. Shaw
Prothonotary/Clerk of Courts
Sent to Mr. [unclear]

Kushnick
+
Tax Clerk
+
Kasman
(OK)