

07-1785-CD
J. Bonsall al vs Mary Kramer al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, : No. 07 - 1785 C.D.
Plaintiffs, :
vs. : TYPE OF CASE: ACTION TO QUIET TITLE
MARY E. KRAMER, JAMES I. KRAMER, :
PERRY S. KRAMER, ROSA M. HOOVER, : FILED ON BEHALF OF: JAMES H.
CATHERINE S. McCLINSEY, JAMES : BONSALL and JANE M. BONSALL,
BOYD KRAMER, GEORGE KRAMER, :
FRANK KRAMER, and their heirs, : Plaintiffs
devisees, administrators, executors and :
assigns, and all other person, persons, :
firms, partnerships or corporate entities :
in interest, :
Defendants. : COUNSEL OF RECORD FOR THIS PARTY:
: PAULA M. CHERRY, ESQ.
: Supreme Court No.: 36023
: GLEASON, CHERRY AND CHERRY, L.L.P.
: Attorneys at Law
: One North Franklin Street
: P.O. Box 505
: DuBois, PA 15801-0505
: (814) 371-5800
:
:

FILED 012:44 PM NOV 02 2007 Atty pd. 95.00
NOV 02 2007 1CC Atty P. Cherry
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M.	:	
BONSALL,	:	
	Plaintiffs,	:
vs.	:	No. 07 - _____ C.D.
MARY E. KRAMER, JAMES I. KRAMER,	:	ACTION TO QUIET TITLE
PERRY S. KRAMER, ROSA M. HOOVER,	:	
CATHERINE S. McCLINSEY, JAMES	:	
BOYD KRAMER, GEORGE KRAMER,	:	
FRANK KRAMER, and their heirs,	:	
devisees, administrators, executors and	:	
assigns, and all other person, persons,	:	
firms, partnerships or corporate entities	:	
in interest,	:	
	Defendants.	:

NOTICE

TO: MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER,
CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER,
FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and
all other person, persons, firms, partnerships or corporate entities in interest:

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO
THE PREMISES SITUATE IN BRADY TOWNSHIP, CLEARFIELD COUNTY,
PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. Said premises are described
as follows:

ALL of that certain piece or parcel of land situate in Brady Township, Clearfield County,
Pennsylvania, and being bounded and described as follows, to wit:

BEGINNING at an Oak; thence East 14 Perches to a post; thence North 49
degrees East 118 Perches to a post; thence West 106 Perches to a Hemlock;

thence South 80 Perches to the place of beginning. Containing 30 acres, more or less.

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 without you and a judgment may be entered 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 Plaintiffs. 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
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ex. 5982

GLEASON, CHERRY AND CHERRY, L.L.P.
Attorneys at Law
One North Franklin Street
P.O. Box 505
DuBois, PA 15801-0505
(814) 371-5800
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. No. 07 - _____ C.D.

MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

C O M P L A I N T

The Plaintiffs in the above-entitled matter, JAMES H. BONSALL and JANE M. BONSALL, bring this Action to Quiet Title for the purpose of barring the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, entitled Defendants, from asserting any right, title and interest or lien in and to the premises described in Exhibit "A", situate in Brady Township, Clearfield County, Pennsylvania, and aver the following cause of action:

1. The Plaintiffs, JAMES H. BONSALL and JANE M. BONSALL, are husband and

wife, who reside at 580 Bonsall Road, Luthersburg, Pennsylvania 15848.

2. After diligent search, the Plaintiffs are unable to discover the whereabouts or the identify of the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, entitled Defendants.

3. The premises described in Exhibit "A", which is situate in Brady Township, Clearfield County, Pennsylvania, was conveyed by Deed of Cornelius Allen, High Sheriff of Clearfield County, to G.L. Knoerr, which Deed was dated December 13, 1909, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 153, Page 179, on December 18, 1909.

4. By Deed dated July 21, 1910, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 186, Page 111, the said G.L. Knoerr and Annis B. Knoerr, his wife, conveyed the premises described in Exhibit "A", which is attached hereto and made a part hereof and is the subject of this Action to Quiet Title, to MARY E. KRAMER.

5. By Deed dated May 14, 1924, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 270, Page 576, the said MARY E. KRAMER and JAMES I. KRAMER, her husband, conveyed an undivided five-sixth (5/6) interest in the premises situate in Brady Township, Clearfield County,

Pennsylvania, more particularly described in Exhibit "A", which is attached hereto and made a part hereof, to their son, PERRY S. KRAMER, thereby retaining an undivided one-sixth (1/6) interest in the premises which is the subject of this Action to Quiet Title.

6. Thereafter, there have been no Deeds of Conveyance of record in the Clearfield County Courthouse conveying the one-sixth (1/6) interest in the subject premises which was retained by MARY E. KRAMER and which continued to be owned by her after the conveyance of the five-sixth (5/6) interest in the subject premises to her son, PERRY S. KRAMER.

7. Although there are not any estate records filed in the Clearfield County Courthouse proving the date of death of the said MARY E. KRAMER or her heirs who would have inherited the retained one-sixth (1/6) interest in the subject premises more particularly described in Exhibit "A" attached hereto and made a part hereof, it is believed and therefore averred that MARY E. KRAMER died in the year 1926, leaving to survive her as her sole heirs at law, her husband, JAMES I. KRAMER, and six (6) children, namely, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, and FRANK KRAMER, and as such heirs, they would have been the sole parties who would have inherited the one-sixth (1/6) interest in the subject premises which was retained by MARY E. KRAMER as aforesaid.

8. There have been no Deeds of Conveyance in the Clearfield County Courthouse from the date of death to the present time for the one-sixth (1/6) interest in the subject premises retained by MARY E. KRAMER by her estate or any of her heirs, namely, JAMES I.

KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, and FRANK KRAMER, the Defendants named herein.

9. By Deed dated October 6, 1930, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 299, Page 14, the said PERRY S. KRAMER conveyed all of his right, title and interest in the premises located in Brady Township, Clearfield County, Pennsylvania, more particularly described in Exhibit "A", which is attached hereto and made a part hereof and is the subject of this Action to Quiet Title, to H.W. Bonsall.

10. The said H.W. Bonsall, a/k/a Harry W. Bonsall, died on July 8, 1951, leaving to survive him as his sole heirs at law, Anna Luella Bonsall, Louise Elizabeth Anderson, Woodrow W. Bonsall, James H. Bonsall, and Harry W. Bonsall, Jr., and the said James H. Bonsall was duly appointed as Administrator of the Estate of the said Harry W. Bonsall (a/k/a H.W. Bonsall) by the Court of Common Pleas of Clearfield County, Pennsylvania.

11. By Deed dated September 4, 1952, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 424, Page 601, on October 27, 1952, the said James H. Bonsall, Administrator of the Estate of Harry W. Bonsall, together with all of the heirs at law of the said Harry W. Bonsall, namely, Anna Luella Bonsall, Louise Elizabeth Anderson, Woodrow W. Bonsall, James H. Bonsall, and Harry W. Bonsall, Jr., conveyed the premises more particularly described in Exhibit "A" which is attached hereto and made a part hereof, to JAMES H. BONSALL, one of the Plaintiffs herein. The Deed

purported to convey 100% interest in the premises located in Brady Township, Clearfield County, Pennsylvania, more particularly described in Exhibit "A" and made no mention of the fact that anything other than a 100% interest in the subject premises was being conveyed.

12. By Deed dated January 25, 1967, and recorded in Clearfield County Deed Book Vol. 530, Page 249, the said JAMES H. BONSALL conveyed the premises located in Brady Township, Clearfield County, Pennsylvania, more particularly described in Exhibit "A" which is attached hereto and made a part hereof, to himself and his wife, namely, JAMES H. BONSALL and JANE M. BONSALL, as tenants by the entirety.

13. A search of the Clearfield County assessment records indicates that in 1958 the said JAMES H. BONSALL began to be assessed with a 100% interest in 30 acres of land located in Brady Township, Clearfield County, Pennsylvania, which is the same acreage and land which is more particularly described in Exhibit "A" which is attached hereto and made a part hereof, and the said JAMES H. BONSALL, one of the Plaintiffs herein, since that time to the present, has been paying real estate taxes on a 100% interest in the premises more particularly described in Exhibit "A" which is attached hereto and made a part hereof, and has been using the premises exclusively as the owner of a 100% interest. The Plaintiffs, JAMES H. BONSALL and JANE M. BONSALL, and their predecessors in title, have been in actual, open, notorious, visible, hostile and continuous possession of a 100% interest in the premises more particularly described in Exhibit "A" which is attached hereto and made a part hereof for a period of Twenty-one (21) years and upward to the exclusion of all others.

14. One of the purposes of this Action is to quiet the title as to any interest the said

MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, entitled Defendants, may have in said premises more particularly described in Exhibit "A", which is attached hereto and made a part hereof, because of any defect that may exist in the title due to the fact that the Deed from MARY E. KRAMER and JAMES I. KRAMER, her husband, dated May 14, 1924, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 270, Page 576, to PERRY S. KRAMER, conveyed an undivided five-sixth (5/6) interest, thereby indicating the retention by MARY E. KRAMER of an outstanding undivided one-sixth (1/6) interest in the subject premises and due to the fact that there was no Deed for the reserved one-sixth (1/6) interest from MARY E. KRAMER or her sole heirs at law, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, the above-named Defendants, to the Plaintiffs herein or their predecessors in title, or for any other reason or reasons that may raise question as to the validity of the one-sixth (1/6) interest in the subject premises more particularly described in Exhibit "A", which is attached hereto and made a part hereof. Further, Plaintiffs claim title in fee to the premises more particularly described in Exhibit "A" which includes the one-sixth (1/6) interest retained by MARY E. KRAMER as

aforesaid because they and their predecessors in title have been in actual, open, notorious, visible, hostile and continuous possession of the same for a period of twenty-one (21) years and upward. Another purpose of this Action is to make the title to the premises as described in Exhibit "A" marketable so that the same can be certified.

WHEREFORE, Plaintiffs request the Court to:

- (a) Determine that their rights are superior to the rights of the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest;
- (b) Determine that the Plaintiffs have fee simple title to the premises described in Exhibit "A" as against the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest;
- (c) Enjoin the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest from setting up any title to the premises described in Exhibit "A" and from impeaching,

denying or in any way attacking the title of the Plaintiffs to the premises described in Exhibit "A";

(d) Award the one-sixth (1/6) interest in the premises more particularly described in Exhibit "A" which was retained by MARY E. KRAMER and JAMES I. KRAMER, her husband, at the time of the conveyance of a five-sixth (5/6) interest in the premises more particularly described in Exhibit "A", to PERRY S. KRAMER, by Deed dated May 14, 1924, and recorded in Clearfield County Deed Book Vol. 270, Page 576, on July 16, 1924, to the Plaintiffs; and

(e) Grant and decree whatever relief may seem equitable and proper.

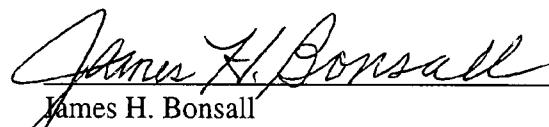
AND they will ever pray.

GLEASON, CHERRY AND CHERRY, L.L.P.

By John W. Cherry
Attorneys for Plaintiffs

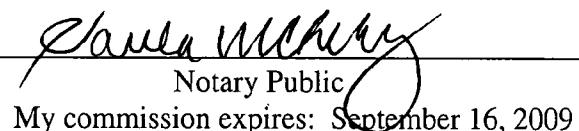
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, the undersigned officer, a Notary Public in and for the county and state aforesaid, JAMES H. BONSALL and JANE M. BONSALL,, who, being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.


James H. Bonsall


Jane M. Bonsall

Sworn to and subscribed before me, this 2nd day of November, 2007.


Notary Public
My commission expires: September 16, 2009

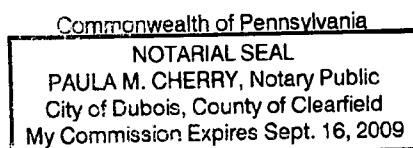


Exhibit "A"

ALL of that certain piece or parcel of land situate in Brady Township, Clearfield County, Pennsylvania, and being bounded and described as follows, to wit:

BEGINNING at an Oak; thence East 14 Perches to a post; thence North 49 degrees East 118 Perches to a post; thence West 106 Perches to a Hemlock; thence South 80 Perches to the place of beginning. Containing 30 acres, more or less.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M.	:	
BONSALL,	:	
	Plaintiffs,	
vs.	:	No. 07 - <u>1785</u> C.D.
MARY E. KRAMER, JAMES I. KRAMER, :		ACTION TO QUIET TITLE
PERRY S. KRAMER, ROSA M. HOOVER, :		
CATHERINE S. McCLINSEY, JAMES :		
BOYD KRAMER, GEORGE KRAMER, :		
FRANK KRAMER, and their heirs, :		
devisees, administrators, executors and :		
assigns, and all other person, persons, :		
firms, partnerships or corporate entities :		
in interest,	:	
	Defendants.	:

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

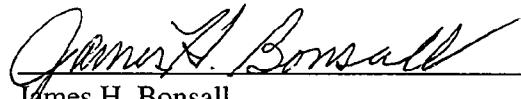
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01/24/07 Atty P. Cherry
NOV 02 2007
WM

William A. Shaw
Prothonotary/Clerk of Courts

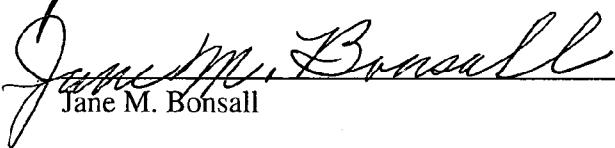
Personally appeared before me, a Notary Public in and for the county and state aforesaid, JAMES H. BONSALL and JANE M. BONSALL, who, being duly sworn according to law, depose and say that after diligent search, including a search of the Clearfield County Courthouse records, telephone book, and post office, they are unable to find the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK

KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

Further Deponents saith not.

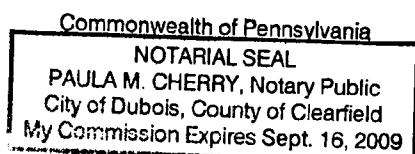


James H. Bonsall



Jane M. Bonsall

Sworn to and subscribed before me, this 2nd day of November, 2007.



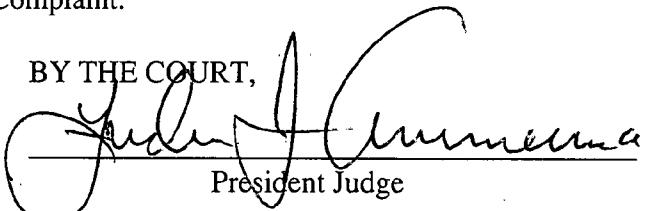
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. No. 07 - 1785 C.D.
MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

O R D E R

NOW, this 2nd day of November, 2007, it appearing that an Action to Quiet Title has been filed in the above-entitled case and the identity and whereabouts of MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are unknown, the Defendants shall be served with a copy of the Complaint by advertising the same one (1) time in the Courier-Express newspaper and one (1) time in the Clearfield County Legal Journal in accordance with the Notice attached to and made a part of the Complaint.

BY THE COURT,


President Judge

FILED

NOV 02 2007

Atty P. Cherry

William A. Shaw
Prothonotary/Clerk of Courts

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

JAMES H. BONSALL and JANE M.
BONSALL,
Plaintiffs,
vs.

vs.

FILED

NOV 02 2007

William A. Shaw
Prothonotary/Clerk of Courts

ACTION TO QUIET TITLE

To The Within Defendants:

YOU ARE HEREBY NOTIFIED TO PLEAD
TO THE WITHIN COMPLAINT WITHIN
TWENTY (20) DAYS FROM THE DATE OF
SERVICE HEREOF.

GLEASON, CHERRY AND CHERRY, L.L.P.:

By _____
Attorneys for Plaintiffs

LAW OFFICES
GLEASON, CHERRY & CHERRY, L.L.P.
P. O. Box 505
DU BOIS, PENNSYLVANIA 15801-0505

ONE NORTH FRANKLIN STREET

FILED

JUN 25 2008

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William A. Shaw

Prothonotary/Clerk of Courts

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

: No. 07 - 1785 C.D.

: TYPE OF CASE: ACTION TO QUIET TITLE

: TYPE OF PLEADING: AFFIDAVIT

: FILED ON BEHALF OF: JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs

: COUNSEL OF RECORD FOR THIS PARTY:

: PAULA M. CHERRY, ESQ.

: Supreme Court No.: 36023

: GLEASON, CHERRY AND CHERRY, L.L.P.

: Attorneys at Law

: One North Franklin Street

: P.O. Box 505

: DuBois, PA 15801-0505

: (814) 371-5800

:
:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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JAMES H. BONSALL and JANE M. :
BONSALL, :
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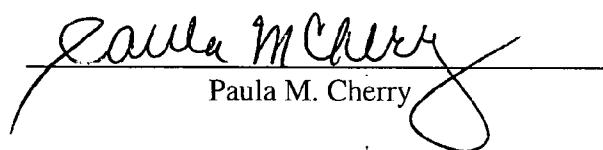
MARY E. KRAMER, JAMES I. KRAMER, : ACTION TO QUIET TITLE
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FRANK KRAMER, and their heirs, :
devisees, administrators, executors and :
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firms, partnerships or corporate entities :
in interest, :
Defendants. :

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, the undersigned officer, PAULA M. CHERRY,
Attorney for JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, who, being duly
sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet
Title, endorsed with Notice to Plead within Twenty (20) days from the date of publication was
made on all of the Defendants by publication on November 13, 2007, in the Courier-Express

newspaper, and the week of November 16, 2007, in the Clearfield County Legal Journal, proof of the same is hereto attached, in accordance with the Order of Court, and more than Twenty (20) days have elapsed since said publications and that said Defendants have not filed an Appearance or any Answer to the Complaint, although the time in which to do so has expired.


Paula M. Cherry

Sworn to and subscribed before me this 25th day of June, 2008.



WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2010
Clearfield Co., Clearfield, PA

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

No. 07-1785 C.D.
ACTION TO QUIET TITLE

JAMES H. BONSALL and JANE M. BONSALL,
Plaintiffs,
vs.

MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest,

Defendants.

NOTICE

TO: MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest:

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO THE PREMISES SITUATE IN BRADY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. Said premises are described as follows:

ALL of that certain piece or parcel of land situate in Brady Township, Clearfield County, Pennsylvania, and being bounded and described as follows, to wit:

BEGINNING at an Oak; thence East 14 Perches to a post; thence North 49 degrees East 118 Perches to a post; thence West 106 Perches to a Hemlock; thence South 80 Perches to the place of beginning. Containing 30 acres, more or less.

You have been sued in Court. If you wish to defend against the claims set forth in the Complaint, you must take action within Twenty (20) days from the date of publication of this Notice, to wit: on or before December 3, 2007, 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 without you and a judgment may be entered 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 Plaintiffs. 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
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ex. 5982

GLEASON, CHERRY AND CHERRY, L.L.P.
Attorneys at Law
One North Franklin Street
P.O. Box 505
DuBois, PA 15801-0505
(814) 371-5800

11/13/2007

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Classified ads, 371-4200 or 849-6737

NEA Crossword Puzzle

ACROSS

1 Heating fuel
4 Frat letter
7 Number
of Muses
11 Sprint rival
12 Libra's gem
14 Hematite yield
15 Table-tennis
divider
16 Glass square
17 Funny
person
18 Principles
20 Boxing venues
22 Robust
energy
23 Hobby shop
buy
24 Wheat
or rye
27 Ancient scrolls
30 Zillions
of years
31 Comedian's
stock
32 — got it!
34 Place to park

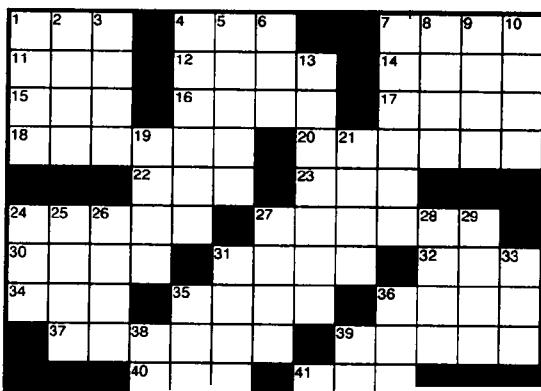
DOWN

1 Science
magazine
2 Frosted
3 Lo-cal

Answer to Previous Puzzle



4 Upholstery
fabric
5 Twitch
6 Holm or
Fleming
7 Fine point
8 Qom's country
9 Ibsen
heroine
10 Puts a stop to
13 Rowboat prob-
lem
19 Hertz rival
21 Tears
24 Set
25 Dorm unit
26 Before,
in combos
27 Say goodbye
28 Rub the wrong
way
29 Physiologist
— Pavlov
31 Little honker
33 Flock mom
35 Declined
36 Gator kin
38 Less
cautious
39 Acclimated
41 Take
potshots at
42 Next planet to
Earth
43 Russian range



**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT
PUBLISHED BY McLEAN PUBLISHING COMPANY,
DUBOIS PENNSYLVANIA
Under act 587, Approved May 16, 1929, P.L. 1784**

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

SS:

Linda Smith, Advertising Director or Dory Ferra, Classified Advertising Supervisor of the **Courier-Express/Tri-County Sunday/Jeffersonian Democrat** of the County and State aforesaid, being duly sworn, deposes and says that the **Courier Express**, a daily newspaper, the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

13th day of November A.D., 2007

Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**McLEAN PUBLISHING COMPANY Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By Linda Smith RL

Sworn and subscribed to before me this 20th day of Nov., 2007

Robin M. Duttry
NOTARY PUBLIC



Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT**
DuBois, PA

NOTARIAL SEAL
ROBIN M. DUTTRY, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 16, 2010

TO

Gleason, Cherry & Cherry

For publishing the notice or advertisement	
attached hereto on the above stated dates.....	<u>\$346.28</u>
Probating same.....	<u>\$7.50</u>
Total.....	<u>\$353.78</u>

Publisher's Receipt for Advertising Costs

The **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801
Established 1879, Phone 814-371-4200

McLEAN PUBLISHING COMPANY
Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

ATTORNEY FOR

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

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

No. 07 - 1785 C.D.

ACTION TO QUIET TITLE

NOTICE

TO: MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M.

Containing 30 acres, more or less.

You have been sued in Court. If you wish to defend against the claims set forth in the Complaint, you must take action within Twenty (20) days from the date of publication of this Notice 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 without you and a judgment may be entered 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 Plaintiffs. 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, 230 East Market Street, Suite 228, Clearfield, PA 16830, (814)765-2641 Ex. 5982.

GLEASON, CHERRY AND CHERRY, L.L.P., Attorneys at Law, One North Franklin Street, P.O. Box 505, DuBois, PA 15801-0505, (814)371-5800, Attorneys for Plaintiffs.

The price or sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

LEGAL DESCRIPTION

ALL that certain piece or parcel of land, with improvements thereon, situate in the Township of Girard, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the southeast corner of land conveyed to Wesley R. Lansberry and Viola Lansberry by Deed of Viola Lansberry, et al., dated the 9th day of May, 1963, and recorded at Clearfield County Deed Book 501, Page 580, on line of land now or formerly of Grear Best; thence along Best line South seventy-two (72 degrees) degrees fifteen (15 minutes) minutes East one hundred eighty-six (186) feet to a white oak corner of land of Robert Collor; thence by land now or formerly of Robert Collor in a northwesterly direction one hundred ninety-one (191) feet to line of land now or formerly of Poorman; thence along line of land now or formerly of Poorman North eighty-four (84 degrees) degrees thirty (30 minutes) minutes West one hundred fifty-eight (158) feet to line of land formerly of Wesley Lansberry and Viola Lansberry, now Viola Lansberry; thence in a southerly direction one hundred sixty (160) feet, more or less, to line of land now or formerly of Grear Best and place of beginning.

There is further granted to the Grantees herein, their heirs, executors and assigns, use of the road or outlet as contained in Deed Book 330/566 recorded in Register and Recorder's Office at the Clearfield County Courthouse.

BEING the same premises conveyed to the Mortgagors herein by Deed dated October 25, 2001 and recorded to Instrument No. 200117488 at the Clearfield County Courthouse.

AND BEING known as Clearfield County Assessment No. 114-06-24.

TITLE TO SAID PREMISES IS VESTED IN Bryan K. Casher and Heather M. Casher, husband and wife, by Deed from

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

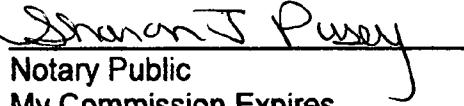
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On this 16th day of November AD 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of November 16, 2007, Vol. 19, No. 46. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.



Notary Public
My Commission Expires

Gleason Cherry & Cherry LLP
PO Box 505
DuBois PA 15801

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Houtzdale, Clearfield County, PA
My Commission Expires, April 7, 2011

FILED

JUN 25 2008

07-101-*Red*

William A. Shaw

Prothonotary/Clerk of Courts

I went to Attn

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

: No. 07 - 1785 C.D.

: TYPE OF CASE: ACTION TO QUIET TITLE

: TYPE OF PLEADING: MOTION FOR JUDGMENT

: FILED ON BEHALF OF: JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs

: COUNSEL OF RECORD FOR THIS PARTY: PAULA M. CHERRY, ESQ.

: Supreme Court No.: 36023

: GLEASON, CHERRY AND CHERRY, L.L.P.

: Attorneys at Law

: One North Franklin Street

: P.O. Box 505

: DuBois, PA 15801-0505

: (814) 371-5800

:
:

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

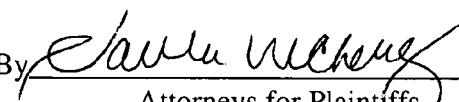
JAMES H. BONSALL and JANE M.	:	
BONSALL,	:	
	Plaintiffs,	:
vs.	:	No. 07 - 1785 C.D.
	:	
MARY E. KRAMER, JAMES I. KRAMER,	:	ACTION TO QUIET TITLE
PERRY S. KRAMER, ROSA M. HOOVER,	:	
CATHERINE S. McCLINSEY, JAMES	:	
BOYD KRAMER, GEORGE KRAMER,	:	
FRANK KRAMER, and their heirs,	:	
devisees, administrators, executors and	:	
assigns, and all other person, persons,	:	
firms, partnerships or corporate entities	:	
in interest,	:	
	Defendants.	:

MOTION FOR JUDGMENT

AND NOW, this 25th day of June, 2008, an Affidavit having been filed by Plaintiffs, JAMES H. BONSALL and JANE M. BONSALL, by their attorney, PAULA M. CHERRY, that the Complaint with Notice to Plead was served on all of the Defendants and the Defendants have not answered, the Plaintiffs, by their attorney, PAULA M. CHERRY, move the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above-named case and to grant to the Plaintiffs the relief prayed for in accordance with Pennsylvania Rules of Civil Procedure 1066. Plaintiffs further request that the

Honorable Court modify in accordance with Pennsylvania Rules of Civil Procedure, Rule 248, the Thirty (30) day period provided Defendants by Pennsylvania Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

GLEASON, CHERRY AND CHERRY, L.L.P.

By 

Attorneys for Plaintiffs

13:45 (1)
FILED
JUN 25 2008

1 Wsh to Attn (G)
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

: No. 07 - 1785 C.D.
: TYPE OF CASE: ACTION TO QUIET TITLE
: TYPE OF PLEADING: ORDER
: FILED ON BEHALF OF: JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs
: COUNSEL OF RECORD FOR THIS PARTY:
: PAULA M. CHERRY, ESQ.
: Supreme Court No.: 36023
: GLEASON, CHERRY AND CHERRY, L.L.P.
: Attorneys at Law
: One North Franklin Street
: P.O. Box 505
: DuBois, PA 15801-0505
: (814) 371-5800
:

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

JAMES H. BONSALL and JANE M.	:	
BONSALL,	:	
	Plaintiffs,	:
vs.	:	No. 07 - 1785 C.D.
	:	
MARY E. KRAMER, JAMES I. KRAMER,	:	ACTION TO QUIET TITLE
PERRY S. KRAMER, ROSA M. HOOVER,	:	
CATHERINE S. McCLINSEY, JAMES	:	
BOYD KRAMER, GEORGE KRAMER,	:	
FRANK KRAMER, and their heirs,	:	
devisees, administrators, executors and	:	
assigns, and all other person, persons,	:	
firms, partnerships or corporate entities	:	
in interest,	:	
	Defendants.	:

ORDER

AND NOW, this 25 day of June, 2008, it appearing that service of the Complaint to Quiet Title in the above Action was made on all of the Defendants and by Affidavit of PAULA M. CHERRY, Attorney for Plaintiffs, no Answer or Appearance has been filed to said Action, and on Motion of PAULA M. CHERRY, Attorney for Plaintiffs, it is hereby ORDERED AND DECREED:

1. That the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors

and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint in and to:

ALL of that certain piece or parcel of land situate in Brady Township, Clearfield County, Pennsylvania, and being bounded and described as follows, to wit:

BEGINNING at an Oak; thence East 14 Perches to a post; thence North 49 degrees East 118 Perches to a post; thence West 106 Perches to a Hemlock; thence South 80 Perches to the place of beginning. Containing 30 acres, more or less.

and that title to said property is now vested in JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, as prayed.

2. That the rights of the Plaintiffs are superior to the rights of the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

3. That the Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

4. That the Defendants, MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER,

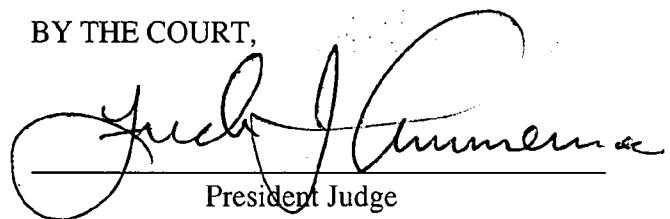
GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are enjoined and forever barred from asserting any right, title or interest in and to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises.

5. That the Thirty (30) day provision of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said Thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of the Pennsylvania Rules of Civil Procedure No. 248, to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

6. That these proceedings, or any authenticated copy thereof, shall at all times hereafter be taken as evidence of the facts declared and established thereby.

7. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT,



President Judge

FILED

JUN 25 2008

0131301
William A. Shaw

Prothonotary Clerk of Court

No 4/C 6R

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs, vs. MARY E. KRAMER, JAMES I. KRAMER, PERRY S. KRAMER, ROSA M. HOOVER, CATHERINE S. McCLINSEY, JAMES BOYD KRAMER, GEORGE KRAMER, FRANK KRAMER, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

: No. 07 - 1785 C.D.

: TYPE OF CASE: ACTION TO QUIET TITLE

: TYPE OF PLEADING: PRAECIPE

: FILED ON BEHALF OF: JAMES H. BONSALL and JANE M. BONSALL, Plaintiffs

: COUNSEL OF RECORD FOR THIS PARTY:

: PAULA M. CHERRY, ESQ.

: Supreme Court No.: 36023

: GLEASON, CHERRY AND CHERRY, L.L.P.

: Attorneys at Law

: One North Franklin Street

: P.O. Box 505

: DuBois, PA 15801-0505

: (814) 371-5800

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

JAMES H. BONSALL and JANE M. :
BONSALL, :
Plaintiffs, :
vs. : No. 07 - 1785 C.D.
: :
MARY E. KRAMER, JAMES I. KRAMER, : ACTION TO QUIET TITLE
PERRY S. KRAMER, ROSA M. HOOVER, :
CATHERINE S. McCLINSEY, JAMES :
BOYD KRAMER, GEORGE KRAMER, :
FRANK KRAMER, and their heirs, :
devisees, administrators, executors and :
assigns, and all other person, persons, :
firms, partnerships or corporate entities :
in interest, :
Defendants. :

P R A E C I P E

TO: WILLIAM A. SHAW, PROTHONOTARY

Dear Sir:

Please enter final judgment in favor of the above-named Plaintiffs and against the
Defendants in accordance with Order of Court dated June 25, 2008.

GLEASON, CHERRY AND CHERRY, L.L.P.

By Paula McElroy
Attorneys for Plaintiffs