

Date: 7/31/2012

Clearfield County Court of Common Pleas

User: BHUDSON

Time: 01:54 PM

ROA Report

Page 1 of 1

Case: 2007-01811-CD

Current Judge: Fredric Joseph Ammerman

S & T Bankvs.Clearfield County Board of Assessment Appeals

CIVIL ACTION

Date		Judge
11/7/2007	New Case Filed.	No Judge
	✓ Filing: Tax Assessment Appeal from Board of Assessment Appeals of Clearfield County. Paid by: Papernick & Gefsky Receipt number: 1921373 Dated: 11/07/2007 Amount: \$85.00 (Check) NO CC.	No Judge
	Case Filed.	No Judge
5/21/2012	✓ Praecipe to Set Status Conference, filed by s/ William G. Merchant, Esq. no CC	No Judge
5/23/2012	✓ Order, this 22nd of May, 2012, a Status Conference has been scheduled for the 31st of July, 2012 at 9:00 a.m. in Judge's Chambers. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Merchant	Fredric Joseph Ammerman

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee,

vs.

COUNTY OF CLEARFIELD; BOROUGH
OF DUBOIS; and DUBOIS SCHOOL
DISTRICT,

Interested Parties.

Tax Map No.: 7.2-001-000-00056

CIVIL DIVISION

Appeal No.:

Case No.: 07-1811-CD

**TAX ASSESSMENT APPEAL FROM
BOARD OF PROPERTY
ASSESSMENT, APPEAL AND
REVIEW**

**COMMERCIAL
REAL ESTATE INVOLVED**

Filed on behalf of: S & T Bank,
Appellant

Counsel of Record for this Party:

William G. Merchant, Esquire
Pa. I.D. #28917
bmerchant@papernick-gefsky.com

PAPERNICK & GEFSKY, LLC
Firm #216
4268 Northern Pike
Monroeville, PA 15146

(412) 373-2212

FILED No CC
NOV 07 2007
Att'y Pd. 85.00
William A. Shaw
Prothonotary/Clerk of Courts

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee,

vs.

COUNTY OF CLEARFIELD;
BOROUGH OF DUBOIS; and DUBOIS
SCHOOL DISTRICT,

Interested Parties.

Case No.: _____

TO THE HONORABLE JUDGES OF SAID COURT:

1. The Appellant is S & T Bank.

2. The Appellee and Interested Parties in the tax assessment appeal are the Clearfield County Board of Assessment Appeals (hereinafter the “Board”) and the County of Clearfield, the Borough of DuBois, and the DuBois School District.

3. The Board is a statutory body created and existing under the laws of the Commonwealth of Pennsylvania, with its principal place of business located at 230 East Market Street, Suite 117, Clearfield, Pennsylvania, 16830.

4. S & T Bank, is the owner of real property located in the Borough of DuBois, and within the DuBois School District found within Clearfield County, Pennsylvania. Said property is located at 35 W. Schribner Avenue, and is known and identified as Map No. 7.2-001-000-00056.

5. The Board has originally assessed the property for purposes of taxation for 2008 at a value of \$57,925.00.

6. The Board, at its notice dated October 12, 2007, did not change the assessment of said real property owned by the Appellant for the year 2008.

7. Notice of the Board's Decision on the appeal has a mailing date of October 12, 2007. A true and correct copy of the Board's Notice is attached hereto and marked as Exhibit "A".

8. Your Appellant believes and therefore avers that the Board failed to ascertain the proper market value of the property for the year 2008.

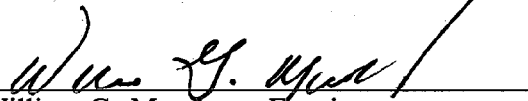
9. Your Appellant believes and therefore avers, that said assessment for the year 2008 is improper, inequitable, unjust, and unlawful by reason of the fact that the assessment ratio to market value is excessive as compared to similar property in Clearfield County, Pennsylvania.

10. Your Appellant believes and therefore avers, that the said assessment is prejudicial and discriminatory and that it lacks uniformity with other assessments of real property in the relevant taxing district, and further, it is far in excess of the common level of assessment existing in the taxing district for this period.

WHEREFORE, your Appellant has been aggrieved by the assessment of the Board of Property Assessment Appeals of Clearfield County, Pennsylvania, and prays this Honorable Court hear its appeal and reduce the tax assessment of the property herein described to such amount as may be right and proper.

Respectfully Submitted,

PAPERICK & GEFSKY, LLC
ATTORNEYS AT LAW



William G. Merchant, Esquire
Attorneys for Appellant

Clearfield County Assessment Office
BOARD OF ASSESSMENT APPEALS



230 EAST MARKET STREET
SUITE 117
Clearfield, Pennsylvania 16830

TELEPHONE (814) 765-2641
FAX (814) 765-2640
Email- cctax@clearfieldco.org

UNION BANKING & TRUST CO., THE

WEST LONG AVE

DUBOIS PA 15801

NOTICE OF BOARD ACTION ON APPEALS
FROM 2008 REAL ESTATE ASSESSMENT

Appellant Name	: UNION BANKING & TRUST CO., THE
Person Appearing	: HILLARY TAYLOR
Location	: DUBOIS CITY 2ND WARD
Map #	: 7.2-001-000-00056
Property Identification	: DRIVE-IN BANK & 3 L 24-25-26
Original 2008 market valuation	: \$231,700
Original 2008 assessed valuation	: \$ 57,925
Date of appeal hearing	: OCTOBER 10, 2007

Dear Property Owner:

The Clearfield County Board of Assessment Appeals, having considered your appeal, has made an Order with reference to your 2008 real estate assessment as follows:

Original 2008	Market value affirmed, without change.
Original 2008	Assessed value affirmed, without change.

Dated: OCTOBER 12, 2007

Sincerely,

Clearfield County Board of
Assessment Appeals

Rita D. Bass

J. Carl Ogden

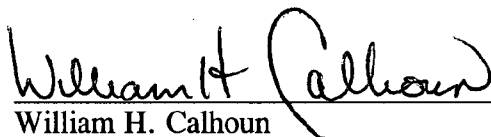
Jack Green

EXHIBIT
"A"

AFFIDAVIT

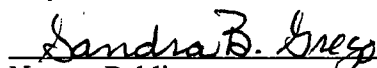
STATE OF PENNSYLVANIA :
 : ss.
COUNTY OF ALLEGHENY :

Before me, the undersigned authority, a Notary Public, in and for said County and Commonwealth, personally appeared **William H. Calhoun, Senior Vice President**, being duly sworn, deposes and states that he is authorized to execute this Affidavit on behalf of **S & T Bank**, and that the averments of fact set forth in the appeal, are true and correct to the best of his knowledge, information, and belief.



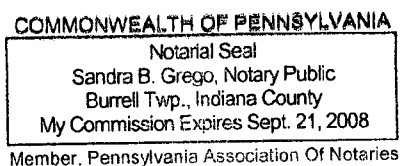
William H. Calhoun

Sworn to and subscribed
before me this 29th day
of October, 2007.



Notary Public

MY COMMISSION EXPIRES:



CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing **Tax Assessment Appeal from Board of Assessment** has been served upon the following parties and counsel by mailing the same first class mail, postage prepaid, this **5th** day of **November, 2007**, to the following address:

Chairman
Clearfield County Board of Assessment
Appeals
Clearfield County Assessment Office
230 East Market Street, Suite 117
Clearfield, PA 16830

Kim Kesner, Esquire
Clearfield County Solicitor
23 N. 2nd Street
Clearfield, PA 16830-2438

Toni Cherry, Esquire
1 N. Franklin Street
DuBois, PA 15801
(Counsel for the Borough of DuBois)

R. Edward Ferraro, Esquire
690 Main Street
Brockway, PA 15824
(Counsel for DuBois School District)

PAPERICK & GEFSKY, LLC
ATTORNEYS AT LAW



William G. Merchant, Esquire
Attorneys for Appellant

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee,

vs.

COUNTY OF CLEARFIELD; CITY OF
DUBOIS; and DUBOIS AREA SCHOOL
DISTRICT,

Interested Parties.

Tax Map No.: 7.2-001-000-00056

CIVIL DIVISION

Appeal No.:

Case No.: 07-1811-CD

**PRAECIPE TO SET STATUS
CONFERENCE**

Filed on behalf of: S & T Bank, Appellant

Counsel of Record for this Party:

William G. Merchant, Esquire
Pa. I.D. #28917
bmerchant@papernick-gefsky.com

PAPERINICK & GEFSKY, LLC
Firm #216
4268 Northern Pike
Monroeville, PA 15146

(412) 373-2212

FILED

m 11:36 a.m. OK
MAY 21 2012

NOCC

William A. Shaw
Prothonotary/Clerk of Courts

OK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee,

Case No.: 07-1811-CD

vs.

COUNTY OF CLEARFIELD; CITY OF
DUBOIS; and DUBOIS AREA
SCHOOL DISTRICT,

Interested Parties.

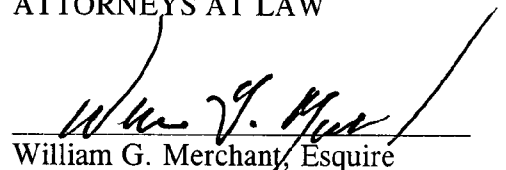
PRAECIPE TO SET STATUS CONFERENCE

TO THE PROTHONOTARY:

Pursuant to Local Rule 212.1, the Appellant, S & T Bank, requests that the Court set a Status Conference for the above-captioned tax assessment appeal. A proposed Scheduling Order is attached.

Respectfully Submitted,

PAPERINICK & GEFSKY, LLC
ATTORNEYS AT LAW



William G. Merchant, Esquire
Attorneys for Appellant,
S & T Bank

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing **Praecept to Set Status Conference** has been served upon all counsel of record by mailing the same first class mail, postage prepaid, this 17 day of May, 2012, to the following address:

Kim Kesner, Esquire
Clearfield County Solicitor
212 S. 2nd Street
Clearfield, PA 16830

Toni Cherry, Esquire
1 N. Franklin Street
DuBois, PA 15801

Gregory M. Kruk, Esquire
Ferraro Kruk & Ferraro, LLP
Ferraro Plaza
690 Main Street
Brockway, PA 15824-1610

PAPERICK & GEFSKY, LLC
ATTORNEYS AT LAW



William G. Merchant, Esquire
Attorneys for Appellant

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Case No.: 07-1811-CD

Appellee,

vs.

COUNTY OF CLEARFIELD; CITY OF
DUBOIS; and DUBOIS AREA
SCHOOL DISTRICT,

Interested Parties.

Tax Map No.: 7.2-001-000-00056

ORDER OF COURT

AND NOW, to wit, this 22nd day of May, 2012, upon consideration of the filing of a Praecipe to Set Status Conference in the above matter, it is the Order of the Court that a Status Conference has been scheduled for 3^{1st} day of July, 2012, at 9:00 a.m./p.m. in Judge's chambers, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT

Judith J. Ammann

(J.)

FILED

01/11/28/311
MAY 23 2012

William A Shaw
Prothonotary/Clerk of Courts

Atty Merchant

GV

FILED

MAY 23 2012

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 5/23/12

☒ 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

S & T BANK,

Appellant

vs.

CLEARFIELD COUNTY BOARD OF ASSESSMENT
APPEALS,

Appellee

vs.

COUNTY OF CLEARFIELD; BOROUGH OF DUBOIS;
and DUBOIS SCHOOL DISTRICT,

Interested Parties

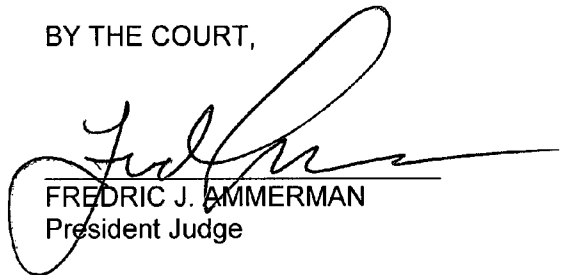
NO. 07-1811-CD

Tax Map No.: 7.2-001-000-00056

ORDER

NOW, this 31st day of July, 2012, following status conference among counsel for the above-captioned parties and the Court; it is the ORDER of this Court that a one-half day assessment appeal hearing be and is hereby scheduled for **October 24, 2012 at 9:00 a.m.** in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED

013:00001
JUL 31 2012

William A. Shaw
Prothonotary/Clerk of Courts

ICC Atty: Merchant

Kesner

T. Cherry

Vruk

ICC Tax Claim

6K

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee,

vs.

COUNTY OF CLEARFIELD; CITY OF
DUBOIS; and DUBOIS AREA SCHOOL
DISTRICT,

Interested Parties.

Tax Map No.: 7.2-001-000-00056

CIVIL DIVISION

Appeal No.:

Case No.: 07-1811-CD

**PRAECIPE TO VOLUNTARILY
DISCONTINUE TAX ASSESSMENT
APPEAL**

Filed on behalf of: S & T Bank, Appellant

Counsel of Record for this Party:

William G. Merchant, Esquire
Pa. I.D. #28917
bmerchant@papernick-gefsky.com

PAPERNICK & GEFSKY, LLC
Firm #216
4268 Northern Pike
Monroeville, PA 15146

(412) 373-2212

FILED

OCT 11 2012

William A. Shaw
Prothonotary/Clerk of Courts
No. 4/c.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK,

Appellant,

vs.

CLEARFIELD COUNTY BOARD OF
ASSESSMENT APPEALS,

Appellee,

Case No.: 07-1811-CD

vs.

COUNTY OF CLEARFIELD; CITY OF
DUBOIS; and DUBOIS AREA
SCHOOL DISTRICT,

Interested Parties.

PRAECIPE TO VOLUNTARILY DISCONTINUE TAX ASSESSMENT APPEAL

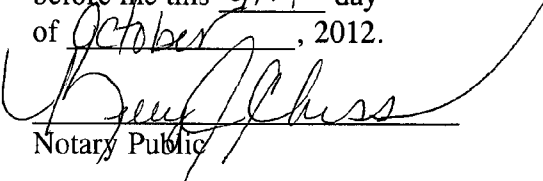
TO THE PROTHONOTARY:

Pursuant to Rule 229 of the Pennsylvania Rules of Civil Procedure, please mark the above-captioned tax assessment appeal voluntarily discontinued.

Respectfully Submitted,

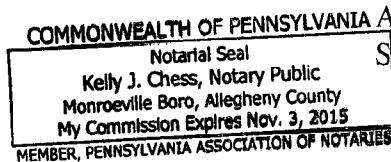
PAPERENICK & GEFSKY, LLC
ATTORNEYS AT LAW

Sworn to and subscribed
before me this 9th day
of October, 2012.


Notary Public


William G. Merchant, Esquire

Attorneys for Appellant,
S & T Bank



CERTIFICATE OF SERVICE

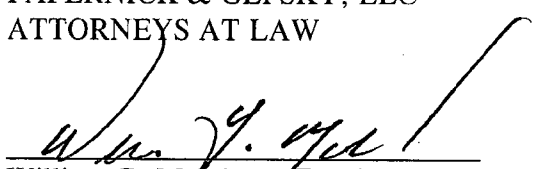
The undersigned counsel hereby certifies that a true and correct copy of the foregoing **Praeipie to Voluntarily Discontinue Tax Assessment Appeal** has been served upon all counsel of record by mailing the same first class mail, postage prepaid, this 9th day of **October, 2012**, to the following address:

Kim Kesner, Esquire
Clearfield County Solicitor
212 S. 2nd Street
Clearfield, PA 16830

Toni Cherry, Esquire
Gleason, Cherry & Cherry
1 N. Franklin Street
DuBois, PA 15801

Gregory M. Kruk, Esquire
Ferraro Kruk & Ferraro, LLP
Ferraro Plaza
690 Main Street
Brockway, PA 15824-1610

PAPERINICK & GEFSKY, LLC
ATTORNEYS AT LAW



William G. Merchant, Esquire
Attorneys for Appellant
S & T Bank