

07-1811-CD  
S&T Bank vs City Bd of Assessment

Date: 7/31/2012  
Time: 01:54 PM  
Page 1 of 1

**Clearfield County Court of Common Pleas**

ROA Report  
Case: 2007-01811-CD

User: BHUDSON

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 10 2007  
NOV 18 2007 Atty Pd.  
85.00  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

S & T BANK, :  
Appellant, :  
vs. :  
CLEARFIELD COUNTY BOARD OF :  
ASSESSMENT APPEALS, :  
Appellee, : Case No.: \_\_\_\_\_  
vs. :  
COUNTY OF CLEARFIELD; :  
BOROUGH OF DUBOIS; and DUBOIS :  
SCHOOL DISTRICT, :  
Interested Parties. :  
:

**TAX ASSESSMENT APPEAL FROM BOARD OF**  
**ASSESSMENT APPEALS OF CLEARFIELD COUNTY**

TO THE HONORABLE JUDGES OF SAID COURT:

AND NOW, comes the Appellant, S & T Bank, by its attorneys, Papernick & Gefsky, LLC, respectfully represents as follows in support of its appeal:

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.

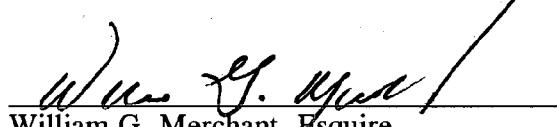
9. Your Appellant believes and therefore avers, that said assessment for the year 2008 is improper, inequitable, unjust, and unlawful by reason of the fact that the assessment ratio to market value is excessive as compared to similar property in Clearfield County, Pennsylvania.

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,

PAPERNICK & 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](mailto: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:

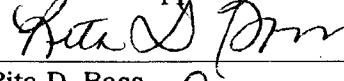
The Clearfield County Board of Assessment Appeals, having considered your appeal, has made an Order with reference to your 2008 real estate assessment as follows:

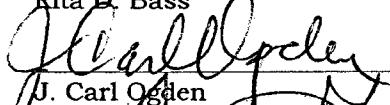
Original 2008 Market value affirmed, without change.  
Original 2008 Assessed value affirmed, without change.

Dated: OCTOBER 12, 2007

Sincerely,

Clearfield County Board of  
Assessment Appeals

  
Rita D. Bass

  
J. Carl Ogden

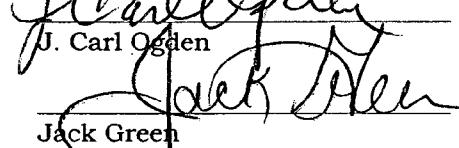
  
Jack Green

EXHIBIT  
"A"

**AFFIDAVIT**

STATE OF PENNSYLVANIA :  
: ss.  
COUNTY OF ALLEGHENY :

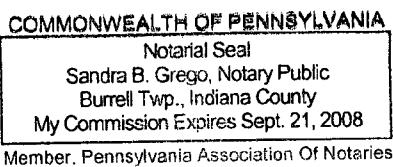
Before me, the undersigned authority, a Notary Public, in and for said County and Commonwealth, personally appeared **William H. Calhoun, Senior Vice President**, being duly sworn, deposes and states that he is authorized to execute this Affidavit on behalf of **S & T Bank**, and that the averments of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

William H. Calhoun  
William H. Calhoun

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

Sandra B. Grego  
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 5<sup>th</sup> day of November, 2007, to the following address:

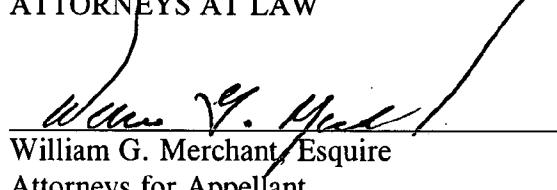
Chairman  
Clearfield County Board of Assessment  
Appeals  
Clearfield County Assessment Office  
230 East Market Street, Suite 117  
Clearfield, PA 16830

Kim Kesner, Esquire  
Clearfield County Solicitor  
23 N. 2<sup>nd</sup> 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)

PAPERNICK & GEFSKY, LLC  
ATTORNEYS AT LAW

  
\_\_\_\_\_  
William G. Merchant, Esquire  
Attorneys for Appellant

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

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

: (412) 373-2212

**FILED**  
m 11:36 a.m. GK  
**MAY 21 2012**

No cc

William A. Shaw  
Prothonotary/Clerk of Courts

GK

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,

PAPERNICK & GEFSKY, LLC  
ATTORNEYS AT LAW

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

**CERTIFICATE OF SERVICE**

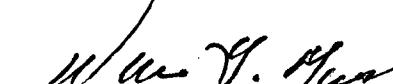
The undersigned counsel hereby certifies that a true and correct copy of the foregoing **Praecipe to Set Status Conference** has been served upon all counsel of record by mailing the same first class mail, postage prepaid, this 17 day of **May, 2012**, to the following address:

Kim Kesner, Esquire  
Clearfield County Solicitor  
212 S. 2<sup>nd</sup> 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

PAPERNICK & GEFSKY, LLC  
ATTORNEYS AT LAW

  
\_\_\_\_\_  
William G. Merchant, Esquire  
Attorneys for Appellant

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 28<sup>th</sup> day of May, 2012, upon consideration of the  
filing of a Praeclipe to Set Status Conference in the above matter, it is the Order of the Court that  
a Status Conference has been scheduled for 31<sup>st</sup> day of July, 2012, at 9:00  
a.m./p.m. in Judge's chambers, Clearfield County Courthouse, Clearfield, PA.

FILED <sup>3cc</sup>  
MAY 28 2012 Atty Merchant  
MAY 28 2012 G.V.  
William A. Shaw  
Prothonotary/Clerk of Courts

BY THE COURT  
Judge J. Zimmerman  
(J.)

**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

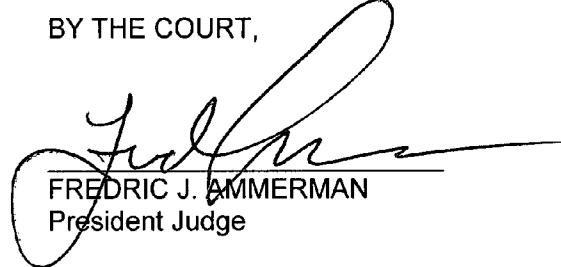
S & T BANK, \*  
Appellant \*  
vs. \* NO. 07-1811-CD  
CLEARFIELD COUNTY BOARD OF ASSESSMENT \*  
APPEALS, \*  
Appellee \*  
vs. \*  
COUNTY OF CLEARFIELD; BOROUGH OF DUBOIS; \*  
and DUBOIS SCHOOL DISTRICT, \*  
Interested Parties \*

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

ORDER

NOW, this 31<sup>st</sup> 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 07/31/2012  
S JUL 31 2012  
William A. Shaw  
Prothonotary/Clerk of Courts  
ICC Atty's: Merchant  
Kesner  
T. Cherry  
Kruuk  
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

RE  
S FILED

2 OCT 11 2012

W/11:45/1c

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

: **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

: PAPERICK & GEFSKY, LLC

: Firm #216

: 4268 Northern Pike

: Monroeville, PA 15146

: (412) 373-2212

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.

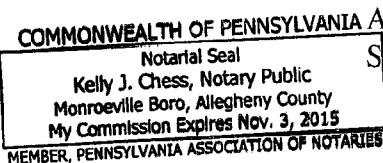
Respectfully Submitted,

PAPERNICK & 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 **Praecipe 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. 2<sup>nd</sup> 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

PAPERNICK & GEFSKY, LLC  
ATTORNEYS AT LAW

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