

08-244-CD

Scott Thompson vs Greenmantle al

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

SCOTT THOMPSON,
Plaintiff

vs.

No 08-244-CD

GREENMANTLE RESORT
PROPERTIES LLC, and
SAMUEL O. STILLEY, RUTH STILLEY
a/k/a RUTH L. STILLEY, KENNETH W.
COTTON, MARY JANE COTTON,
RUTH COTTON and MURRAY HINER,
their heirs, personal representatives and
assigns and any persons claiming, or who
might claim title under the aforesaid
defendants and any other person, person,
firms, partnerships, or corporate entities
who might claim title to the premises
herein described,

Defendants

ACTION TO QUIET TITLE

Filed on behalf of: Scott Thompson,
Plaintiff

Counsel of Record for this party:

HOPKINS HELTZEL, LLP

DAVID J. HOPKINS, ESQUIRE
Attorney at Law
Supreme Court No. 42519

100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801
(814) 375-0300

010:58 BPA Atty pd. \$105.00
100 Atty Hopkins

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

SCOTT THOMPSON,	:	
Plaintiff	:	
vs.	:	No
GREENMANTLE RESORT	:	
PROPERTIES LLC, and	:	
SAMUEL O. STILLEY, RUTH STILLEY	:	
a/k/a RUTH L. STILLEY, KENNETH W.	:	
COTTON, MARY JANE COTTON,	:	
RUTH COTTON and MURRAY HINER,	:	
their heirs, personal representatives and	:	
assigns and any persons claiming, or who	:	
might claim title under the aforesaid	:	
defendants and any other person, person,	:	
firms, partnerships, or corporate entities	:	
who might claim title to the premises	:	
herein described,	:	
Defendants	:	

NOTICE

TO DEFENDANTS:

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 judgement 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 Plaintiff. 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.

Office of the Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814)765-2641

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

SCOTT THOMPSON, :
Plaintiff :
vs. : No
GREENMANTLE RESORT :
PROPERTIES LLC, and :
SAMUEL O. STILLEY, RUTH STILLEY :
a/k/a RUTH L. STILLEY, KENNETH W. :
COTTON, MARY JANE COTTON, :
RUTH COTTON and MURRAY HINER, :
their heirs, personal representatives and :
assigns and any persons claiming, or who :
might claim title under the aforesaid :
defendants and any other person, person, :
firms, partnerships, or corporate entities :
who might claim title to the premises :
herein described, :
Defendants :

COMPLAINT

AND NOW comes, Plaintiff, Scott Thompson, by and through his attorneys, Hopkins Heltzel LLP and files the within quiet title action and in support thereof states as follows:

1. Plaintiff, Scott Thompson, is an adult individual who resides at 19233 Birchwood Drive, Caldwell, Idaho 83606.
2. Defendant is Greenmantle Resort Properties, LLC who maintains a principal business address at 3001 North Rocky Point Drive, Tampa, Florida.
3. Defendants, Samuel O. Stilley and Ruth L. Stilley, are adult individuals believed to be husband and wife, whose last known address was 3466 McConnell Road, Hermitage, Pennsylvania 16148. Their address and current whereabouts are unknown.

4. Defendants, Mary Jane Cotton and Kenneth W. Cotton are adult individuals whose last known address was 3466 McConnell Road, Hermitage, Pennsylvania 16148.

5. Mary Jane Cotton and Kenneth W. Cotton are believed to be husband and wife. Their address and current whereabouts are unknown.

6. Ruth Cotton is an unknown individual whose address is unknown. She is believed to be the same person as Ruth Stilley a/k/a Ruth L. Stilley.

7. Murray Hiner is an adult individual whose address is unknown. He is believed to be the same person as J. Murray Hiner.

8. The property to be quieted consists of two (2) lots in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania known as Section 13, Lot 109 and Lot 110.

COUNT I - SECTION 13, LOT 109

9. By Deed dated October 10, 1969 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 557, at page 574, Treasure Lake, Inc. conveyed Section 13, Lot 109 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania (hereinafter "Section 13, Lot 109") to Murray Hiner and Willivene Hiner, his wife, and Wendell Wetzel and Helen H. Wetzel, his wife.

10. By Deed dated December 10, 1981 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 823, at page 526, J. Murray Hiner and Willivene J. Hiner, his wife, conveyed their one half (1/2) interest in Section 13, Lot 109 to J. Murray Hiner and R. Lloyd Hiner.

11. By Deed dated November 7, 1984 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 980, at page 537, J. Murray Hiner, R. Lloyd Hiner, Wendell E. Wetzel and Helen H. Wetzel conveyed Section 13, Lot 109 to Ruth L. Stilley.

12. Ruth L. Stilley lost the property for nonpayment of taxes and the property was returned to the Clearfield County Tax Claim Bureau.

13. By Deed dated October 21, 2005 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2005-18193, the Tax Claim Bureau of Clearfield County, Pennsylvania, as Trustee under the provisions of the Act of July 7, 1947, P.L. 1368 and amendments thereto, conveyed Section 13, Lot 109 to Defendant Greenmantle Resort Properties, LLC.

14. By Deed dated August 1, 2007 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2007-13498, Defendant Greenmantle Resort Properties, LLC conveyed Section 13, Lot 109 to Plaintiff. Said Deed is executed by an individual identified as Paul Brani, Trustee. The authorization for Paul Brani, Trustee, to execute the aforesaid Deed is not set forth in the Deed itself. The Deed further purports to grant and convey Section 13, Lot 109 in accordance with the Real Estate Tax Sale Law of July 7, 1947, P.L. 1368, as amended, which is inapplicable. The Deed further states that the transfer from Defendant Greenmantle Resort Properties LLC to Plaintiff was sold under authority of the Real Estate Tax Sale Law, as amended, which is inapplicable.

15. The purpose of this quiet title action is to:

- (a) Eliminate any interest Murray Hiner possesses in Section 13, Lot 109; and
- (b) Eliminate any cloud upon the title to Section 13, Lot 109 caused by the tax sale divesting ownership of Section 13, Lot 109 from Ruth L. Stilley; and

(c) Eliminate any cloud upon the title of Section 13, Lot 109 caused by reference to the Real Estate Tax Sale Law which was not applicable to the transfer from Greenmantle Resort Properties, LLC to Scott Thompson; and

(d) Eliminate any cloud upon the title of Section 13, Lot 109 caused by Paul Brani executing the Greenmantle Resort Properties, LLC Deed as Trustee without indication as to his authority to act on behalf of the limited liability company.

WHEREFORE, the Plaintiff requests the Court to decree that title to the premises known as Section 13, Lot 109 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania be granted unto Plaintiff, Scott Thompson, in fee simple, absolute; and that the Defendants, Greenmantle Resort Properties, LLC, Ruth L. Stilley and Murray Hiner, their heirs, devisees, executors, administrators, successors and assigns, and all other person, persons, partnerships, limited liability companies, corporate entities, or any other legal entity, or their legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in and to the property known as Section 13, Lot 109 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.

COUNT II - SECTION 13, LOT 110

16. By Deed dated October 13, 1972 and recorded in the Office of the Recorder of Deeds in Deed Book 644, at page 079, Treasure Lake, Inc. conveyed Section 13, Lot 110 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania (hereinafter "Section 13, Lot 110") to Ronald Briggs.

17. By Deed dated October 23, 1974 and recorded in the Office of the Recorder of Deeds in Deed Book 696, at page 028, Ronald Briggs conveyed Section 13, Lot 110 to Treasure Lake of Pennsylvania, Inc.

18. Treasure Lake of Pennsylvania, Inc. conveyed all of its interest in Section 13, Lot 110 to Recreation Land Corporation.

19. By Deed dated March 26, 1983 and recorded in the Office of the Recorder of Deeds in Deed Book 884, at page 303, Recreation Land Corporation conveyed Section 13, Lot 110 to Defendants Samuel O. Stilley, Ruth Stilley, Kenneth W. Cotton and Mary Jane Cotton.

20. By Deed dated February 27, 1985 and recorded in the Office of the Recorder of Deeds in Deed Book 1015, at page 265, Kenneth W. Cotton conveyed all of his interest in the property to Mary Jane Cotton.

21. In said February 27, 1985 Deed, the acknowledgment of Kenneth W. Cotton's signature was taken by a notary public after her commission had expired.

22. Samuel O. Stilley, Ruth Stilley and Mary Jane Cotton failed to pay real estate taxes assessed against Section 13, Lot 110 and the property was returned to the Clearfield County Tax Claim Bureau.

23. By Deed dated October 21, 2005 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2005-18193, the Tax Claim Bureau of Clearfield County, Pennsylvania, as Trustee under the provisions of the Act of July 7, 1947, P.L. 1368 and amendments thereto, conveyed Section 13, Lot 110 to Defendant Greenmantle Resort Properties, LLC.

24. In the Deed of conveyance dated October 21, 2005, from the Tax Claim Bureau of Clearfield County, Pennsylvania to Greenmantle Resort Properties LLC, the owners of Section 13, Lot 110 are identified as Defendants, Samuel O. Stilley, Ruth & Mary Jane Cotton when in fact the correct owners of the property were Samuel O. Stilley, Ruth Stilley and Mary Jane Cotton.

25. By Deed dated August 1, 2007 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2007-13498, Defendant Greenmantle Resort Properties, LLC conveyed Section 13, Lot 110 to Plaintiff. Said Deed is executed by an individual identified as Paul Brani, Trustee. The authorization for Paul Brani, Trustee, to execute the aforesaid Deed is not set forth in the Deed itself. The Deed further purports to grant and convey Section 13, Lot 110 in accordance with the Real Estate Tax Sale Law of July 7, 1947, P.L. 1368, as amended, which is inapplicable. The Deed further states that the transfer from Defendant Greenmantle Resort Properties LLC to Plaintiff was sold under authority of the Real Estate Tax Sale Law, as amended, which is applicable.

26. The purpose of this quiet title action is to:

- (a) Eliminate any cloud upon the title to Section 13, Lot 110 caused by the improper notary in the Deed from Kenneth W. Cotton to Mary Jane Cotton dated February 27, 1985; and
- (b) Eliminate any cloud upon the title to Section 13, Lot 110 caused by the tax sale divesting ownership of Section 13, Lot 110 from Samuel O. Stilley, Ruth L. Stilley, a/k/a Ruth Stilley, Mary Jane Cotton and Ruth Cotton; and
- (c) Eliminate any cloud upon the title to Section 13, Lot 110 caused by Ruth Cotton being identified as a property owner. To the best knowledge, information and belief of Plaintiff, Ruth Cotton was incorrectly identified as Ruth Stilley; and
- (d) Eliminate any and all claims Ruth Stilley possesses in the property; and
- (e) Eliminate any cloud upon the title to Section 13, Lot 110 as a result of Paul Brani executing the Greenmantle Resort Properties, LLC Deed as Trustee without indication as to his authority to act on behalf of the limited liability company.

WHEREFORE, the Plaintiff requests the Court to decree that title to the premises known as Section 13, Lot 110 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania be granted unto Plaintiff, Scott Thompson, in fee simple, absolute; and that the Defendants, Greenmantle Resort Properties, LLC and Samuel O. Stilley, Ruth L. Stilley a/k/a Ruth Stilley, Kenneth W. Cotton, Mary Jane Cotton and Ruth Cotton, their heirs, devisees, executors, administrators, successors and assigns, and all other person, persons, partnerships, limited liability companies, corporate entities, or any other legal entity, or their legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in and to the property known as Section 13, Lot 110 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania.

Respectfully submitted,

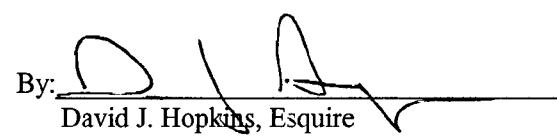
HOPKINS HELTZEL LLP



David J. Hopkins, Esquire

VERIFICATION

I, David J. Hopkins, Esquire, am an attorney licensed to practice law in the Commonwealth of Pennsylvania. With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that I am familiar with the title abstract of the real property involved in this case and further verify that the statements made in this pleading are true and correct.

By: 
David J. Hopkins, Esquire

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

SCOTT THOMPSON,
Plaintiff

vs.

No 08-244-CD

GREENMANTLE RESORT
PROPERTIES LLC, and
SAMUEL O. STILLEY, RUTH STILLEY
a/k/a RUTH L. STILLEY, KENNETH W.
COTTON, MARY JANE COTTON,
RUTH COTTON and MURRAY HINER,
their heirs, personal representatives and
assigns and any persons claiming, or who
might claim title under the aforesaid
defendants and any other person, person,
firms, partnerships, or corporate entities
who might claim title to the premises
herein described,

Defendants

01/05/07 *ICC*
Atty Hopkins
DP

AFFIDAVIT OF UNKNOWN WHEREABOUTS

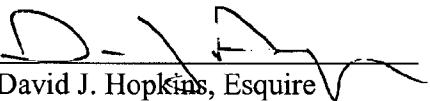
I, David J. Hopkins, Esquire, being duly sworn according to law, deposes and says that to the best of my knowledge, information and belief, the Defendants, Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, whereabouts are unknown.

As to Samuel O. Stilley and Ruth Stilley, your Affiant made a search of the white pages of the telephone book, conducted an internet search and sent a letter to the last known address that was returned as unknown resident.

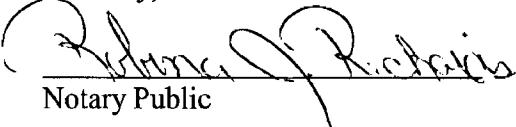
As to Kenneth W. Cotton, Mary Jane Cotton and Ruth Cotton, your Affiant made a search of the white pages of the telephone book and conducted an internet search.

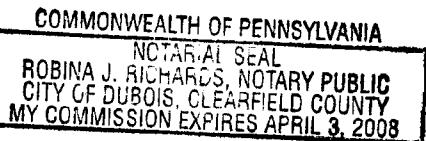
As to Murray Hiner, your Affiant made a search of the white pages of the telephone book and conducted an internet search.

As a result of the foregoing unsuccessful searches, the whereabouts of Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, are unknown and your Affiant respectfully requests they be served by publication.

By: 
David J. Hopkins, Esquire

Sworn to and subscribed before
me this 17th day of
February, 2008.


Notary Public



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

SCOTT THOMPSON, :
Plaintiff :
:

vs. :
:

No 08-244-CD

GREENMANTLE RESORT :
PROPERTIES LLC, and :
SAMUEL O. STILLEY, RUTH STILLEY :
a/k/a RUTH L. STILLEY, KENNETH W. :
COTTON, MARY JANE COTTON, :
RUTH COTTON and MURRAY HINER, :
their heirs, personal representatives and :
assigns and any persons claiming, or who :
might claim title under the aforesaid :
defendants and any other person, person, :
firms, partnerships, or corporate entities :
who might claim title to the premises :
herein described, :
Defendants :
:

100:58871 ^{IC} Atty Hopkins
JAN

MOTION FOR PUBLICATION

AND NOW, this 7 day of February, 2008, an Affidavit having been executed and filed
on behalf of David J. Hopkins, Esquire, and that the whereabouts of Defendants, Samuel O.
Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton
and Murray Hiner, their accumulative heirs, devisees, administrators, executors, successors or
assigns, and all other person, persons, firms, partnerships, or corporate entities in interest are
unknown. The Plaintiff, by its counsel, Hopkins Heltzel LLP, requests the Court for leave to
serve the Complaint on the above mentioned Defendants, their heirs, devisees, administrators,

executors, assigns, and all other person, persons, firms, partnerships, or corporate entity in interest, or their legal representatives, generally, by publication in such manner as the Court shall direct and as provided by Pa. R.C.P. Rule 410, and Pa.R.C.P. Rule 430.

Respectfully submitted,



David J. Hopkins, Esquire
Attorney for Plaintiff

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

SCOTT THOMPSON, :
Plaintiff :
vs. : No 08-244-CD
: :
GREENMANTLE RESORT :
PROPERTIES LLC, and :
SAMUEL O. STILLEY, RUTH STILLEY :
a/k/a RUTH L. STILLEY, KENNETH W. :
COTTON, MARY JANE COTTON, :
RUTH COTTON and MURRAY HINER, :
their heirs, personal representatives and :
assigns and any persons claiming, or who :
might claim title under the aforesaid :
defendants and any other person, person, :
firms, partnerships, or corporate entities :
who might claim title to the premises :
herein described, :
Defendants :
:

ORDER FOR PUBLICATION

AND NOW, this 12 day of February, 2008 upon the consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on Defendants, Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, by publication one time in the Courier Express and one time in The Clearfield Legal Journal.

BY THE COURT,

02/08/08 ^{1CC}
Atty Hopkins
(6K)



JUDGE

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

SCOTT THOMPSON, :
Plaintiff :
vs. : No. 08-244-CD
: :
GREENMANTLE RESORT :
PROPERTIES LLC, : ACTION TO QUIET TITLE
SAMUEL O. STILLEY, RUTH STILLEY :
a/k/a RUTH L. STILLEY, KENNETH W. :
COTTON, MARY JANE COTTON, :
RUTH COTTON and MURRAY HINER, :
their heirs, personal representatives and :
assigns and any persons claiming, or who :
might claim title under the aforesaid :
defendants and any other person, person, :
firms, partnerships, or corporate entities :
who might claim title to the premises :
herein described, :
Defendants :

TO: Greenmantle Resort Properties, LLC
3001 North Rocky Point Drive
Tampa, FL 33607

DATE OF NOTICE: March 10, 2008

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION
REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS
FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED
AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY
OR OTHER IMPORTANT RIGHTS.

02/30/08
NO CC
(GR)

YOU SHOULD TAKE THIS NOTICE TO A 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.

Office of the Court Administrator
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
(814) 765-2641



DAVID J. HOPKINS, ESQUIRE

Attorney for Plaintiff
Supreme Court No. 42519
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300

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

SCOTT THOMPSON, :
Plaintiff :
vs. :
:

No. 08-244-CD

GREENMANTLE RESORT :
PROPERTIES LLC, :
SAMUEL O. STILLEY, RUTH STILLEY :
a/k/a RUTH L. STILLEY, KENNETH W. :
COTTON, MARY JANE COTTON, :
RUTH COTTON and MURRAY HINER, :
their heirs, personal representatives and :
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herein described,
Defendants :
:

ACTION TO QUIET TITLE

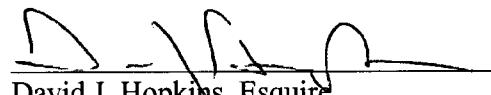
100-101 No CC.
08-42cm
MAR 24 2008
LS
William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT

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

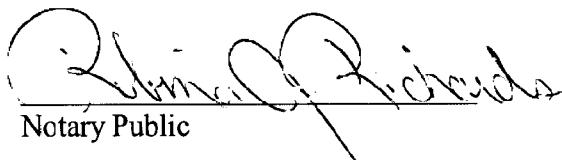
Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiff, Scott Thompson, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants. Defendant Greenmantle Resort Properties LLC was served by certified mail; Defendants, Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, and their heirs, devisees,

administrators, executors and assigns were served by publication, and more than twenty (20) days have elapsed since said service; and Plaintiff has served a "10 Day Notice" pursuant to Pa.R.C.P. No. 237.1 upon Defendant Greenmantle Resort Properties, LLC, and the said Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.

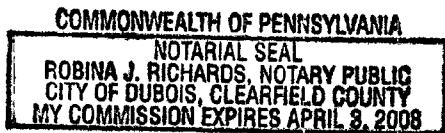


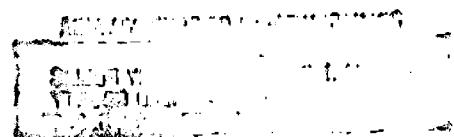
David J. Hopkins, Esquire

Sworn to and subscribed before me this
24th day of March, 2008.



Notary Public





RECEIVED
PROTHONOTARY CLERK OF COURTS
MARCH 24, 2008

MAR 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

SCOTT THOMPSON,
Plaintiff

vs.

No. 08-244-CD

GREENMANTLE RESORT
PROPERTIES LLC,
SAMUEL O. STILLEY, RUTH STILLEY
a/k/a RUTH L. STILLEY, KENNETH W.
COTTON, MARY JANE COTTON,
RUTH COTTON and MURRAY HINER,
their heirs, personal representatives and
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might claim title under the aforesaid
defendants and any other person, person,
firms, partnerships, or corporate entities
who might claim title to the premises
herein described,

Defendants

ACTION TO QUIET TITLE

1CC
04/00/08 Atty
Hopkins
RE

ORDER

AND NOW, this 24th day of March, 2008 appearing that service of
the Complaint to Quiet Title in the above stated action was served upon Defendants,
Greenmantle Resort Properties, LLC by certified mail; Defendants, Samuel O. Stilley, Ruth
Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray
Hiner by publication; and by Affidavit of David J. Hopkins, Attorney for Plaintiff, that no answer
or appearance has been filed to said action, and on Motion of David J. Hopkins, Esquire, it is
hereby ORDERED and DECREED:

1. That the Defendants, Greenmantle Resort Properties LLC, Samuel O. Stilley, Ruth

Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner and their heirs, devisees, 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 his Complaint in and to: Section 13, Lot 109 and Section 13, Lot 110 of the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania.

2. The property in this quite title action is identified as Section 13, Lot 109 and Section 13, Lot 110 of the Treasure Lake Subdivision, DuBois, Pennsylvania.

3. That title to said property is now vested in Scott Thompson as prayed.

4. That the rights of the Plaintiff are superior to the rights of the Defendants, Greenmantle Resort Properties LLC, Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, and any heirs, persons claiming, or who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.

5. That the Plaintiff has title in fee simple to said premises as described in the Complaint against the Defendants, Greenmantle Resort Properties LLC, Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, and their heirs, devisees, administrators, executors, and assigns.

6. That the Defendants, Greenmantle Resort Properties LLC, Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiff as set forth in his Complaint and from

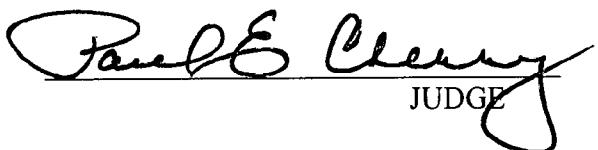
setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiff to the premises.

7. That the thirty (30) days provisions 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 Pennsylvania Rules of Civil Procedure 248 to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

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

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

BY THE COURT,



Paul E. Cherry
JUDGE

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

SCOTT THOMPSON,	:	
Plaintiff	:	
vs.	:	No. 08-244-CD
GREENMANTLE RESORT	:	
PROPERTIES LLC,	:	
SAMUEL O. STILLEY, RUTH STILLEY	:	ACTION TO Q
a/k/a RUTH L. STILLEY, KENNETH W.	:	
COTTON, MARY JANE COTTON,	:	
RUTH COTTON and MURRAY HINER,	:	
their heirs, personal representatives and	:	
assigns and any persons claiming, or who	:	
might claim title under the aforesaid	:	
defendants and any other person, person,	:	
firms, partnerships, or corporate entities	:	
who might claim title to the premises	:	
herein described,	:	
Defendants	:	

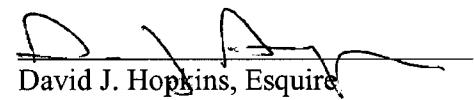
98.45 cm
MAR 24 2008
William A. Shaw
Prothonotary/Clerk of Courts

MOTION FOR JUDGMENT

AND NOW, this 24th day of March, 2008, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiff, Scott Thompson, that the Complaint with Notice to Plead was served on Defendants pursuant to the Rules of Civil Procedure and Defendants have failed to file an answer. The Plaintiff, by and through his attorney, move the Court to enter judgment in favor of the Plaintiff and against the Defendants in the above named case and to grant to the Plaintiff the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiff further requests that the Honorable Court modify in accordance with Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or

claim Plaintiff set forth in his Complaint.

Respectfully submitted,



David J. Hopkins, Esquire

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

No. 08-244-CD
ACTION TO QUIET TITLE

SCOTT THOMPSON. Plaintiff

vs.

GREENMANTLE RESORT PROPERTIES LLC, SAMUEL O. STILLEY, RUTH STILLEY a/k/a RUTH L. STILLEY, KENNETH W. COTTON, MARY JANE COTTON, RUTH COTTON and MURRAY HINER, their heirs, personal representatives and assigns and any persons claiming, or who might claim title under the aforesaid defendants and any other person, person, firms, partnerships, or corporate entities who might claim title to the premises herein described, Defendants

QUIET TITLE ACTION NOTICE

TO: Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, their heirs, personal representatives, 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, lying and being in the Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania known as Section 13, Lot 109 and Lot 110 has been filed against you.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiff in this action after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFF. 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 E. Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641

HOPKINS HELTZEL LLP
David J. Hopkins, Esquire
Attorney for Plaintiff
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300

**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

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 Jindakorn Ch

Sworn and subscribed to before me this 26th day of Feb., 2008

NOTARY PUBLIC

Statement of Advertising Cost
MCLEAN PUBLISHING COMPANY

COURIER-EXPRESS/TRI-COUNTY SUNDAY/ JEFFERSONIAN DEMOCRAT

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

TO **Hopkins Heltzel LLP**

For publishing the notice or advertisement
attached hereto on the above stated dates..... **\$295.20**
Probating same..... **\$7.50**
Total..... **\$302.70**

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

PUBLISHED BY
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

Clearfield County Legal Journal

The Official Legal Journal of the Courts of Clearfield County, PA

**CLEARFIELD COUNTY
LEGAL JOURNAL**
P. O. Box 521, Clearfield, PA
Owned and Published Weekly

by the
Clearfield County
Bar Association

Laurence Malof to Stephen Malof

Matthew Johnston to Matthew Johnston

Sharri Mohney to Oscar Buck II

200801889 \$23,000
Lorraine Spock to Kevin Condon

200801901 \$49,000

Marion Shimmel to Wilbur Neerer

200801904 \$1

Beulah McDonald to Wilbur Neerer

200801905 \$1

Craig Lutch to Robert Gearhart

200801912 \$92,000

A. Lynn Hopkins to Ricky Berndt
200801810 \$35,000
Victoria Yeager to Markazion Records
200801836 \$35,000

REPORT OF DEEDS February 12, 2008

Nancy S. Malin to Harry Savannah

200801841 \$1,000
Sherry Cypher to James Keddie

200801852 \$1
Johnny Recio to Kate Larkin 200801853

\$200
Roy Miller to Tracy Smay 200801855 \$1

Michael Smay to Roy Miller 200801856

\$1
Laurence Malof to Stephen Malof

200801857 \$1
Clearfield Co Tax Claim Bureau to

William O'Shall 200801886 \$265.46

Matthew Johnston to Matthew Johnston

200801893 \$1
Sharri Mohney to Oscar Buck II

200801899 \$23,000
Lorraine Spock to Kevin Condon

200801901 \$49,000

Marion Shimmel to Wilbur Neerer

200801904 \$1

Beulah McDonald to Wilbur Neerer

200801905 \$1

Craig Lutch to Robert Gearhart

200801912 \$92,000

REPORT OF DEEDS February 13, 2008

Osceola Mills Borough to Osceola Mills
Community Food Bank Inc 200801915 \$1
Clearfield Co Tax Claim Bureau to Kyle

Morgan 200801919 \$200
Cheryl Pataky to Duane Pataky

200801920 \$1
Ronald Peachman to Ronald Peachman

200801926 \$1
Mariamne Beyer to Eleanor Moore

200801947 \$1
Clearfield Co Sheriff to Vanderbilt

Mortgage & Finance 200801986 \$1
Michael Welker to Janet Welker

200801987 \$1
Patrick Welker to Janet Welker

200801988 \$1
New Shawmut Timber Company to

Western PA Conservancy 200801990 \$1

REPORT OF DEEDS February 11, 2008

Greg Butterfuss to James Lamagna
200801732 \$141,750
Imogene Meyer to Sally Cox 200801782
\$1
Howard Fugate Jr. to Rajendra Yande
200801785 \$255,000
John Korsnick to Steven Miller
200801795 \$45,000
Scott Neyman to Terry Tapper
200801799 \$250
Lucinda Socoski to Beneficial Cons Disc
Co 200801800 \$1
Randell Neerer to Eugene McKenzie
200801806 \$10,000

First Publication

HEATH, ROBERT R., Dec'd
Late of Osceola Mills
Administrator: **R. JOEL HEATH**
Attorney: **GEORGE S. TEST**
PO Box 706
Philipsburg, PA 16866

GROSS, DAVID LEE, Dec'd
a/k/a **DAVID L. GROSS**
Late of Clearfield
Administrator: **DANIEL A. EWALD**
Attorney: **ANN B. WOOD**
318 East Locust St.
PO Box 670
Clearfield, PA 16830

**REGISTER & ORPHANS' COURT
NOTICES**

Notice is hereby given that the following First and Final Accounts have been examined by me and remain in the Office of Maurene E. Inlow, Register of Wills for the inspection of the heirs, legatees and creditors and all others interested and will be presented to the Orphans' Court of Clearfield County, PA on the first Monday in February, 2008.

The Accounts will be presented to the Orphans' Court for Confirmation NISI on the first Monday in March, 2008, and if no Objections or Exceptions are filed to the Account, it will be Confirmed Absolutely, as of course, without further notice by the Court in 10 days.

George P. Elias, Administrator C.T.A., Estate of Mary Mick, late of Bigler Township, Clearfield County.

Dorothy Gallaher, Guardian of the Estate of Ella C. Hatten, an incapacitated person, Grampian, Clearfield County.

Lonnie M. Kovalick, Sr., Administrator, Estate of Dorothy M. Kovalick, late of Frenchville, Clearfield County.

George Kline, Administrator, D.B.N.C.T.A., Estate of Andrew A. Kline, late of Houtzdale, Clearfield County.

George Wise, Executor, Estate of Leo P. Wise, late of Penfield, Clearfield County.

CNB Bank, Trustee, Albert Children Trust, Clearfield, Clearfield County.

CNB Bank, Trustee, E. Dorse Albert T/U/W FBO Gertrude V. Albert, Clearfield, Clearfield County.

CNB Bank, Trustee, Gerald V. Buzzard T/U/W FBO Paula K. Stevenson and Harry Buzzard, Curwensville, Clearfield County.

First & Partial Account, CNB Bank, Substitute Guardian of Martha Nipson, Clearfield, Clearfield County.

Thelma Mae Johnston and James W. Pyle, Co-Executors, Estate of Myra M. Pyle a/k/a Myra Pyle a/k/a Myra Mae Pyle, late of Clearfield, Clearfield County.

Clearfield Bank & Trust Company, Trustee Under Restated Agreement, Trust of H. Rembrandt Woolridge, Clearfield, Clearfield County.

Jane Lee Woolridge Yare and Clearfield Bank & Trust Company, Co-Executors, Estate of H. Rembrandt Woolridge a/k/a Harold R. Woolridge, Clearfield, Clearfield County.

CNB Bank & Mark P. Campolong, Co-Executors, Estate of Eugenia U. Leitzinger, late of Clearfield, Clearfield County.

Karen M. Auman, Administratrix, Estate of Edgar J. Graham a/k/a Edgar J. Graham, Sr., late of Clearfield, Clearfield County.

S & T Bank, Trustee of the Clover Run-Mt Carmel Cemetery Association Revocable Trust, Clearfield County.

C. Thomas Woodel, Administrator, Estate of Beulah Aldine Woodel a/k/a B. Aldine Woodel, late of Sandy Township, Clearfield County

MAURENE E. INLOW, REGISTER OF WILLS & CLERK OF ORPHANS' COURT, PO Box 361, Suite 103, Clearfield, PA 16830.

ADV: February 15th & 22nd, 2008.

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

SCOTT THOMPSON, Plaintiff vs. GREENMANTLE RESORT PROPERTIES LLC, SAMUEL O. STILLEY, RUTH STILLEY a/k/a RUTH L. STILLEY, KENNETH W. COTTON, MARY JANE COTTON, RUTH COTTON and MURRAY HINER, their heirs, personal representatives and assigns and any persons claiming, or who might claim title under the aforesaid defendants and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described, Defendants. No. 08-244-CD

**ACTION TO QUIET TITLE
QUIET TITLE ACTION NOTICE**

TO: Samuel O. Stilley, Ruth Stilley a/k/a Ruth L. Stilley, Kenneth W. Cotton, Mary Jane Cotton, Ruth Cotton and Murray Hiner, their heirs, personal representatives, 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, lying and

being in the Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania known as Section 13, Lot 109 and Lot 110 has been filed against you.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiff in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFF. 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 E. Market Street, Clearfield, Pennsylvania 16830. (814) 765-2641.

HOPKINS HELTZEL LLP, David J. Hopkins, Esquire, Attorney for Plaintiff, 100 Meadow Lane, Suite 5, DuBois, PA 15801. (814) 375-0300.

MARSHAL'S SALE

By virtue of a Writ of Execution issued out of the U. S. Court for the W. D. of PA at suit of the USA at Civil No. 07-117, I shall expose to public sale the real property of Tracy O'Dell known as 411 Park Avenue, Clearfield, PA 16830, conveyed to her by deed of Helen Kathleen Cuetara, dated October 22, 2003 and recorded in the Recorder of Deeds Office of Clearfield County, Pennsylvania, at Instrument No. 200320546. Parcel No. 4.2K08-228-00004.

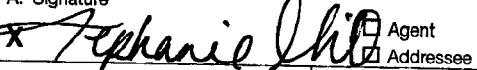
TIME AND LOCATION OF SALE:
Monday, March 24, 2008 at 10:30 A.M. at the Clearfield County Courthouse, One North 2nd Street, Clearfield, PA 16830.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Greenmantle Resort Properties
3001 North Rocky Point Drive
Tampa, FL 33607

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

Stephanie Gil

 Agent Addressee**B. Received by (Printed Name)**

Stephanie Gil 2/19/08

C. Date of Delivery**D. Is delivery address different from item 1? Yes**

If YES, enter delivery address below: No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**2. Article Number**

(Transfer from service label)

7006 0810 0001 0122 8039

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540