

DOCKET NO. 173

Number	Term	Year
265	February	1961

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Curwensville Municipal Authority

Versus

Mina Van Scyoc,

William Van Scyoc

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL  
AUTHORITY

No. 265 February Term 1961

vs.

MUNICIPAL LIEN

WILLIAM VAN SCOYOC and  
MINA VAN SCOYOC

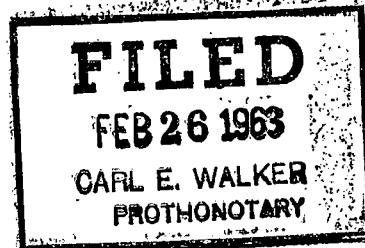
TO CARL E. WALKER, PROTHONOTARY.

SIR:

Mark the above Municipal Lien satisfied on payment  
of costs.

Dated: February 26, 1963

  
Attorney for Curwensville Municipal  
Authority



IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PA.

No. 265 February Term 1961

MUNICIPAL LIEN

CURWENSVILLE MUNICIPAL  
AUTHORITY

vs.

WILLIAM VAN SCOVOC and  
MINA VAN SCOVOC

...P.R.A. E.C.I P.E

**Curwensville Municipal Authority**  
Versus

**William Van Scyoc**  
**Mina Van Scyoc**

In the Court of Common Pleas  
Clearfield County, Pennsylvania

No. 265 February Term, 19 61

**CERTIFICATE OF DISCONTINUANCE**

Commonwealth of Pennsylvania      }  
County of Clearfield      } SS

I, **Carl E. Walker**, Prothonotary of the Court of Common Pleas, in and for the County and Commonwealth aforesaid, do hereby certify that the above stated case was this day, the **26th** day of **February** A. D. 19 **63** marked settled, and discontinued

Record costs in the sum of \$ **46.20** have been paid in full by  
**William Van Scyoc**

In Witness Whereof, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania, this **26th** day of **February** A. D. 19 **63**

Prothonotary

A. D. No. .... Term, 19.....

**CERTIFICATE of DISCONTINUANCE**

**Attorney**

Clearfield County, ss:

The Commonwealth of Pennsylvania to

William Van Scyoc and Mina Van Scyoc

Greeting:

Whereas, Curwensville Municipal Authority

Claimant on the 9th day of May 1960, filed

Municipal claim in our Court of Common Pleas of Clearfield County, of

May Term, 1960, No. 28

M. L. D., for the sum of

\$ 959.40 Dollars with interest on \$ 959.40 Dollars from 1st day of February

1960, for construction of sanitary sewers and a sanitary sewerage system

Against the following described property situate in the Borough of Curwensville bounded and described as follows:

On the North by William & Mina Van Scyoc,

On the East by Lippert Street,

On the South by Ridge Avenue, and

On the West by Ridge Avenue.

Being a lot situate on the west side of Lippert Street in Curwensville Borough

owned or reputed to be owned by you. Returnable 1st Monday April, 1961

And Whereas, we have been given to understand that said claim is still due and unpaid, and remains as a lien against said property, now you are hereby notified to file your affidavit of defense to said claim, if any defence you have thereto, in the office of the Prothonotary of our said Court within fifteen days after the service of this writ upon you. If no affidavit of defense be filed within said time, judgment may be entered against you for the whole of said claim, and the property described in the claim be sold to recover the amount thereof.

Witness, the Honorable John J. Pentz, President

Judge of our said Court at Clearfield, Pa., this 9th

day of March A. D. 1961.

*John J. Pentz*

Prothonotary.

Served the within writ of Scire Facias.

Sworn to and subscribed before me this	}	So answers
_____ day of _____		_____
A. D. 19_____. _____ _____		Per _____ Sheriff.

1961  
265 February  
No. 2

No. 265 February Term, 1961 ~~XXXX~~

## Curwensville Municipal Authority

versus

Wina Van Scyoc and

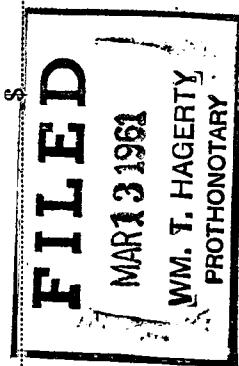
William Van Scyoc

Act 1923. P. L. 207

SCRIRE FACIAS SUB MUNICIPAL CLAIM

# ON MUNICIPAL LIENS ON TAX LIENS

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Chaplin & Arnold Plaintiff's Attorney

March 13, 1961 service accepted by copy  
Bill Gilbert Black  
F. Campbell <sup>Brooke</sup>

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA.

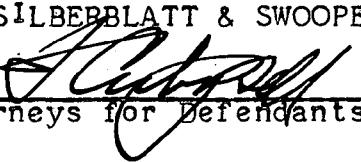
CURWENSVILLE MUNICIPAL :  
AUTHORITY :  
Vs. : No. 265 February Term, 1961  
MINA VAN SCYOC and :  
WILLIAM VAN SCYOC :  
\_\_\_\_\_

STIPULATION

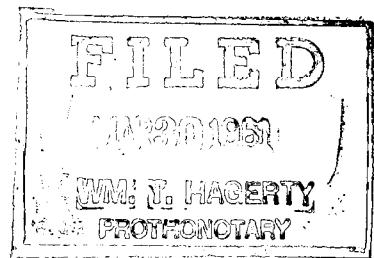
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NOW, March 29, 1961, it is stipulated by and  
between BELL, SILBERBLATT & SWOOP, Attorneys for Mina Van  
Scyoc and William Van Scyoc, and DAN P. ARNOLD, Attorney for the  
Curwensville Municipal Authority, that the Curwensville Municipal  
Authority shall not be required to file an Answer, and the case  
shall proceed to Arbitration without the necessity of filing any  
other proceeding and without prejudice for so doing.

BELL, SILBERBLATT & SWOOP

by   
Attorneys for Defendants

  
Dan P. Arnold, Attorney  
for Plaintiff.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA.

CURWENSVILLE MUNICIPAL  
AUTHORITY

Vs. : No. 265 February Term, 1961

MINA VAN SCYOC and  
WILLIAM VAN SCYOC

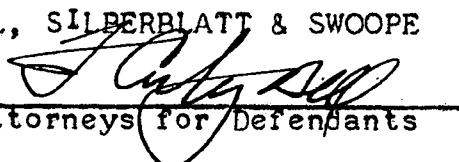
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STIPULATION

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Scyoc and William Van Scyoc, and DAN P. ARNOLD, Attorney for the  
Curwensville Municipal Authority, that the Curwensville Municipal  
Authority shall not be required to file an Answer, and the case  
shall proceed to Arbitration without the necessity of filing any  
other proceeding and without prejudice for so doing.

BELL, SILBERBLATT & SWOOP

by   
Attorneys for Defendants

  
Dan P. Arnold, Attorney  
for Plaintiff.

March 7, 1961

F. Cortez Bell, Sr., Esquire  
Bell, Silberblatt & Swoope  
Clearfield, Pennsylvania

Dear Judge Bell:

I have issued a Sci. Fa. on the Municipal Lien of the Curwensville Municipal Authority against Van Scyoc, and have advised the Prothonotary that you will accept service and waive the issuance of the Sci. Fa.

Very truly yours,

Dan P. Arnold

DPA/hvg

cc: Prothonotary  
David S. Ammerman, Esquire

IN THE  
Court of Common Pleas  
OF  
*Clearfield County, Pennsylvania*

No. 28, May Term, 1946

265 Feb 1961

CURWENSVILLE MUNICIPAL AUTHORITY

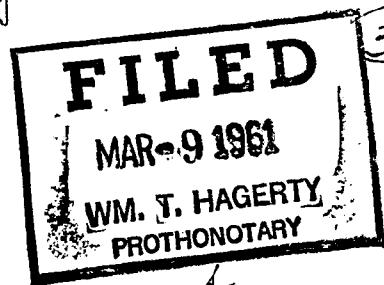
*versus*

63

603

MINA VAN SCYOC and WILLIAM VAN  
SCYOC

(O.C.)  
Atty B & S. 16.20  
O.R. 2.00  
Chay & Am. 4.00



ARNOLD & CHAPLIN  
ATTORNEYS AT LAW  
CLEARFIELD, PA.

In the Court of Common Pleas of Clearfield County, Pennsylvania,

CURWENSVILLE MUNICIPAL AUTHORITY

MINA VAN SCYOC and WILLIAM VAN  
SCYOC

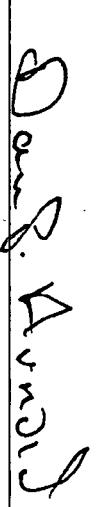
*versus*  
No. 28, May Term, 19460

*To Prothonotary of said Court, Sir:*

Issue Scire Facias sur Municipal Claim in  
the above entitled matter.

(F. Cortez Bell to accept service and waive  
the issuance)

Date March 7, 19461

  
Dan R. Bond  
Attorney for  
Curwensville Municipal Authority

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL :  
AUTHORITY :  
: :  
-vs- : No. 265 February Term, 1961  
: :  
MINA VAN SCYOC :  
WILLIAM VAN SCYOC : :

ANSWER

The Curwensville Municipal Authority having issued a Scire Facias Sewer Municipal Claim, on March 9, 1961, after the Defendants served a notice upon it to issue the same, the Defendants make answer as follows:

(1). That the said Municipal Lien was filed to No. 265 February Term, 1961, and the Court of Common Pleas, by an Opinion filed the 9th day of July, 1960, sustained Preliminary Objections to an action to quiet title to No. 28 May Term, 1960, said Preliminary Objections maintaining that the Court of Quarter Sessions has exclusive jurisdiction, which question was not passed upon by the Court.

(2). That the Borough of Curwensville did not give personal notice to the Supervisors of Pike Township as required by the Act of June 10, 1947, P. L. 1621, Volume 53 of Purdon's Statutes, nor was the Petition for the annexation of said land filed by any freeholder as required by Section 5 of the Act of 1947, Purdon's Statutes Volume 53, Section 45,415, nor was any notice ever given to the Board of Elections, as provided in Section 5 of the Act of July 10, 1947, Volume 53, Section 45,426.

(3). The Defendants claim that they purchased a triangular piece of ground for the sum or price of \$250.00 after the Borough of Curwensville had taken a piece of said ground for a road, and said Borough of Curwensville, subsequent to said alleged annexation, made a deed for said property describing the same as

being situate in the Township of Pike, Clearfield County, Pennsylvania.

(4). It is further averred that the tax authorities in and for the County of Clearfield assessed said property as situate in Pike Township from 1952 until the present date.

(5). It is further averred that the Borough of Curwensville failed to comply with the provisions of the Act of May 4, 1927, as amended in 1959, Volume 53 Purdon's Statutes, Section 45,428, by the failure to file a copy of the Order of the annexation with the Department of Internal Affairs at Harrisburg.

(6). Section 33 of the Act of July 10, 1947, Volume 53 Purdon's Statutes, Section 66,510, and the Borough Code of July 10, 1947, provide that in the construction of sewers, the costs and expenses may be assessed upon the properties benefited, and that the Borough shall be liable for the payment of any deficiency between the assessments to the properties benefited and the cost of the sewer.

(7). That the lien filed by the Curwensville Municipal Authority against said property was in the amount of \$959.40. Recently, the Curwensville Municipal Authority notified the Defendants that the lien has been reduced to \$540.00, which is in excess of the amount for which the Defendants had sold the property and many times the amount of any benefit to the same.

BELL, SILBERBLATT & SWOOP  
By



STATE OF PENNSYLVANIA : : SS.  
COUNTY OF CLEARFIELD : :

Before me, the undersigned officer, personally appeared WILLIAM VAN SCYOC, who, being duly sworn according to law, deposes and states that the facts set forth in the foregoing Answer are true and correct to the best of his knowledge, information and belief.

William Van Scyoc  
William Van Scyoc

Sworn to and subscribed  
before me this 14th day  
of March, 1961.

Wm. J. Haggerty

PROTHONOTARY  
My Commission Expires  
1st Monday Jan. 1962

*John Marshall*  
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENN-  
SYLVANIA, NO. 265 February  
Term, 1961

CURMENSVILLE MUNICIPAL  
AUTHORITY

-vs-

MINA VAN SCYOC  
WILLIAM VAN SCYOC

ANSWER

MARY L. MARSHALL  
Wm. T. HAGERTY  
PROTHONOTARY

BELL, SILBERBLATT & SWOOP

ATTORNEYS AT LAW

CLEARFIELD TRUST CO. BLDG.  
CLEARFIELD, PENNA.