

DOCKET NO. 173

Number	Term	Year
265	February	1961

Curwensville Municipal Authority

Versus

Mina Van Scyoc,

William Van Scyoc

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL
AUTHORITY

vs.

WILLIAM VAN SCOYOC and
MINA VAN SCOYOC

No. 265 February Term 1961

MUNICIPAL LIEN

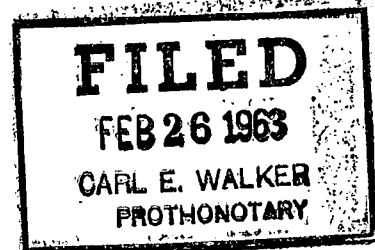
TO CARL E. WALKER, PROTHONOTARY,

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

CURRWENSVILLE MUNICIPAL
AUTHORITY

vs.

WILLIAM VAN SCOYOC and
MINA VAN SCOYOC

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

DAN B. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

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

19 60, 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. 19 61

Wm. T. Hagerty Prothonotary.

Served the within writ of Scire Facias

Sworn to and subscribed before me this
_____ day of _____
A. D. 19____.

So answers

Sheriff.

Per _____

Judge Bell

No. 265 February 1961
Term, 1961

Curwensville Municipal Authority

versus

Mina Van Seyoc and
William Van Seyoc

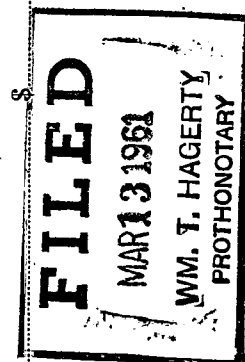
Act 1923, P. L. 207

SCIRE FACIAS SUR MUNICIPAL CLAIM

On

MUNICIPAL LIEN OR TAX LIEN.

Sheriff



Chaplin & Arnold

Plaintiff's Attorney

March 13 1961 service accepted by copy
Bill Selbuck
F. [Signature]
Woope

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

CURWENSVILLE MUNICIPAL
AUTHORITY

Vs.

MINA VAN SCYOC and
WILLIAM VAN SCYOC

No. 265 February Term, 1961

STIPULATION

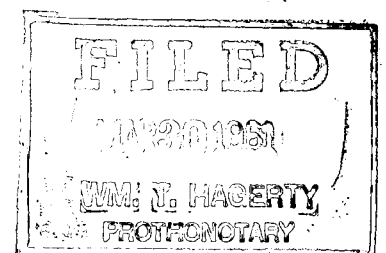
NOW, March 29, 1961, it is stipulated by and between BELL, SILBERBLATT & SWOOPE, Attorneys for Mina Van Scyoc and William Van Scyoc, and DAN P. ARNOLD, Attorney for the Curwensville Municipal Authority, that the Curwensville Municipal Authority shall not be required to file an Answer, and the case shall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

BELL, SILBERBLATT & SWOOPE

by

[Signature]
Attorneys for Defendants

[Signature]
Dan P. Arnold, Attorney
for Plaintiff.



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

CURWENSVILLE MUNICIPAL
AUTHORITY

Vs.

MINA VAN SCYOC and
WILLIAM VAN SCYOC

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No. 265 February Term, 1961

STIPULATION

NOW, March 29, 1961, it is stipulated by and between BELL, SILBERBLATT & SWOOPE, 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 & SWOOPE

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 Seyoc, 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, 1960

265 Feb 1961

CURWENSVILLE MUNICIPAL AUTHORIT

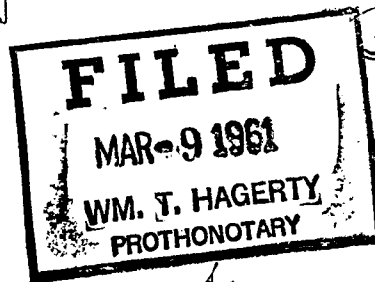
versus

63

603

MINA VAN SCYOC and WILLIAM VAN
SCYOC

(o.c.)
attys B & S - 16.20
Pro 2.00
Chap & Arn - 4.00



ARNOLD & CHAPLIN
ATTORNEYS AT LAW
CLEARFIELD, PA.

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

CURWENSVILLE MUNICIPAL AUTHORITY

versus

MINA VAN SCYOC and WILLIAM VAN
SCYOC

No. 28, May Term, 1960

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, 1961

Don S. Arnold
Attorney for
Curwensville Municipal Authority

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL
AUTHORITY

-vs-

MINA VAN SCYOC
WILLIAM VAN SCYOC

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No. 265 February Term, 1961

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 & SWOOPE
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. L. Hagerty

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

Over Amad

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENN-
SYLVANIA, No. 265 February
Term, 1961

CUMWENSVILLE MUNICIPAL
AUTHORITY

-VS-

MINA VAN SCYOC
WILLIAM VAN SCYOC

ANSWER

(C)
MAR 1 1961
Wm. T. HAGERITY
PROTHONOTARY

BELL, SILBERBLATT & SWOOP
ATTORNEYS AT LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PENNA.

3-20-61
Accepted
Dep Printed