

08-1063-CD
Roy Makar al vs Karl O. Johnson al

Original To
C/A

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

ROY J. MLAKAR and
MICHELE M. MLAKAR,
Plaintiffs

vs.

KARL O. JOHNSON,
RACHELLE JOHNSON, and
TERRY HAMILTON, and any heir,
persons claiming or who might claim title
under the aforesaid defendant; and any
other person, persons, firms, partnerships,
or corporate entities who might claim
title to the premises herein described,
Defendants

FILED

JUN 10 2008
5/25/08

William A. Shaw
Prothonotary/Clerk of Court
1 CEN To
HHR

No. 2008-1063 - C

QUIET TITLE ACTION

Type of Pleading: Complaint

Filed on behalf of: Roy J. Mlakar
and Michele M. Mlakar, Plaintiffs

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

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

ROY J. MLAKAR and
MICHELE M. MLAKAR,
Plaintiffs
vs.

KARL O. JOHNSON,
RACHELLE JOHNSON, and
TERRY HAMILTON, and any heir,
persons claiming or who might claim title
under the aforesaid defendant; and any
other person, persons, firms, partnerships,
or corporate entities who might claim
title to the premises herein described,
Defendants

FILED
JUN 10 2008
1063-2008
No. 2008-1063 - CP
William A. Shaw
Prothonotary/Clerk of Courts
1 CEN To MARY

QUIET TITLE ACTION

Type of Pleading: Complaint

Filed on behalf of: Roy J. Mlakar
and Michele M. Mlakar, Plaintiffs

Counsel of Record for this party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE
Attorney at Law

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100 Meadow Lane, Suite 5
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

ROY J. MLAKAR and	:	
MICHELE M. MLAKAR,	:	
Plaintiffs	:	
vs.	:	No.
	:	
	:	
KARL O. JOHNSON,	:	
RACHELLE JOHNSON, and	:	
TERRY HAMILTON, and any heir,	:	
persons claiming or who might claim title	:	
under the aforesaid defendant; and any	:	
other person, persons, 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 judgment 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 Plaintiffs. 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 ext. 5982

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

ROY J. MLAKAR and	:	
MICHELE M. MLAKAR,	:	
Plaintiffs	:	
vs.	:	No.
	:	
KARL O. JOHNSON,	:	
RACHELLE JOHNSON, and	:	
TERRY HAMILTON, and any heir,	:	
persons claiming or who might claim title	:	
under the aforesaid defendant; and any	:	
other person, persons, firms, partnerships,	:	
or corporate entities who might claim	:	
title to the premises herein described,	:	
Defendants	:	

COMPLAINT

AND NOW, comes Plaintiffs, Roy J. Mlakar and Michele Mlakar, husband and wife, by and through their attorneys, Hopkins Heltzel LLP and files the within action to quiet title and in support thereof says

COUNT I

**MLAKAR vs. JOHNSON
SECTION 18, LOT 66**

1. Plaintiffs, Roy J. Mlakar and Michele Mlakar, are adult individuals, husband and wife, who reside in Gibsonia, Pennsylvania 15044.
2. The property to be quieted is Section 18, Lot 66 in the Treasure Lake subdivision of Sandy Township, Clearfield County, Pennsylvania.
3. The Defendants are Karl O. Johnson and Rachelle B. Johnson whose last known address was 15 Ridge View Drive, Westminster, Maryland 21157.

4. Defendants were known to have been living in the State of Tennessee. Their whereabouts are unknown and both Defendants are believed to be dead.

5. By deed dated September 17, 1971 and recorded in the office of Recorder of Deeds of Clearfield County in Record Book 639 at Page 85, Treasure Lake, Inc., conveyed Section 18, Lot 66 unto Defendants Karl O. Johnson and Rachelle B. Johnson.

6. Defendants Karl O. Johnson and Rachelle B. Johnson failed to pay real estate taxes on Section 18, Lot 66 from 1999 to 2005. The property was returned to the Tax Claim Bureau of Clearfield County.

7. By deed dated April 12, 2007 and recorded in the office of Recorder of Deeds of Clearfield County as Instrument No. 2007-06010, the Tax Claim Bureau of Clearfield County, Pennsylvania trustee, under the provisions of the Act of July 7, 1947, P.L. 1368, and amendment thereto, conveyed Section 18, Lot 66 unto Robert A. Mauk and Sherry L. Mauk.

8. By deed dated April 14, 2008 and recorded in the office of Recorder of Deeds of Clearfield County as Instrument No. 2008-06007, Robert A. Mauk and Sherry L. Mauk conveyed Section 18, Lot 66 unto Plaintiffs.

9. This action is brought to clear any and all possible clouds upon the title to the property as a result of the sale by the Tax Claim Bureau of Clearfield County, Pennsylvania.

WHEREFORE, Plaintiffs request the Court to decree that title to the property described as Section 18, Lot 64 of the Treasure Lake subdivision of Sandy Township, Clearfield County, Pennsylvania, be granted unto Plaintiffs in fee simple and absolutely; and Karl O. Johnson or Rachelle Johnson, their heirs, devisees, executors, administrators, and assigns, and all other people, persons, firms, partnerships, or corporate entities in interest, or their legal representatives

be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth herein.

COUNT II

**MLAKAR vs. HAMILTON
SECTION 18, LOT 64**

10. Plaintiffs, Roy J. Mlakar and Michele Mlakar, are adult individuals, husband and wife, who reside in Gibsonia, Pennsylvania 15044.

11. The property to be quieted is Section 18, Lot 64 in the Treasure Lake subdivision of Sandy Township, Clearfield County, Pennsylvania.

12. Defendant is Terry Hamilton whose last known address was P.O. Box 273210, Fort Collins, Colorado 80527.

13. By deed dated October 5, 1971 and recorded in the office of the Recorder of Deeds of Clearfield County in Record Book 639 at Page 79, Treasure Lake, Inc., conveyed Section 18, Lot 64 to Molly K. Sinar.

14. By deed dated 1986 and recorded in the office of the Recorder of Deeds of Clearfield County in Record Book 1118 at Page 272, Molly K. Sinar conveyed Section 18, Lot 64 to Douglas Bruce Yingling.

15. By deed dated March 16, 2000 and recorded in the office of the Recorder of Deeds of Clearfield County as Instrument No. 2000-05609, Douglas Bruce Yingling and Barbara G. Yingling, husband and wife, conveyed Section 18, Lot 64 to Defendant Terry Hamilton.

16. Terry Hamilton failed to pay real estate taxes on Section 18, Lot 64 from 2002 to 2005. The property was returned to the Tax Claim Bureau of Clearfield County.

17. By deed dated April 12, 2007 and recorded in the office of the Recorder of Deeds of Clearfield County as Instrument No. 2007-06009, the Tax Claim Bureau of Clearfield County, Pennsylvania trustee, under the provisions of the Act of July 7, 1947, P.L. 1368, and amendment thereto, conveyed Section 18, Lot 66 unto Robert A. Mauk and Sherry L. Mauk.

18. By deed dated April 14, 2008 and recorded in the office of Recorder of Deeds of Clearfield County as Instrument No. 2008-06007, Robert A. Mauk and Sherry L. Mauk conveyed Section 18, Lot 64 unto Plaintiffs.

19. This action is brought to clear any and all possible clouds upon the title to the property as a result of the sale by the Tax Claim Bureau of Clearfield County, Pennsylvania.

WHEREFORE, Plaintiffs request the Court to decree that title to the property described as Section 18, Lot 64 of the Treasure Lake subdivision of Sandy Township, Clearfield County, Pennsylvania, be granted unto Plaintiffs in fee simple and absolutely; in that Terry Hamilton, his heirs, devisees, executors, administrators, and assigns, and all other people, persons, firms, partnerships, or corporate entities in interest, or his legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth herein.

Respectfully submitted,



David J. Hopkins, Esquire
Attorney for Plaintiffs

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)

ROY J. MLAKAR and :
MICHELE M. MLAKAR, :
Plaintiffss :
vs. :
: No. 2008-1063-C
:
: KARL O. JOHNSON, :
RACHELLE JOHNSON, and :
TERRY HAMILTON, and any heir, :
persons claiming or who might claim title :
under the aforesaid defendant; and any :
other person, persons, firms, partnerships, :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :

FILED

JUN 10 2008
072-501-200
William A. Shaw
Prothonotary/Clerk of Courts

1 copy to ATTYS

AFFIDAVIT OF UNKNOWN WHEREABOUTS

David J. Hopkins, being duly sworn according to law, hereby certifies:

- 1) that he has made a search for Defendants, Karl O. Johnson and Rachelle R. Johnson. The Johnson address was listed in the Clearfield County tax records as 15 Ridge View Drive, Westminster, Maryland 21157. Counsel attempted to locate Mr. and Mrs. Johnson by conducting a search of the phone records for Westminster, Maryland. Counsel then undertook a Google search for Mr. and Mrs. Johnson. Counsel conducted a search of the Carroll County Courthouse records including the Recorder of Deeds and Prothonotary's office for any evidence of the Johnson location. None was found. Real estate taxes had not been paid on the property from 1999 to 2005. A search of Westminster, Maryland revealed that the Johnsons no longer reside at 15 Ridge View Drive.

D.4

2) that he has made a search for Defendant, Terry Hamilton. Mr. Hamilton's address was listed in the Clearfield County tax records as P.O. Box 273210, Fort Collins, Colorado 80527. Counsel attempted to locate Mr. Hamilton by conducting a search of the phone records for Fort Collins, Colorado. Counsel then undertook a Google search for Mr. Hamilton. None was found. Real estate taxes had not been paid on the property from 1999 to 2005. It is believed Mr. Hamilton has family connections to Clearfield County and advertising in Clearfield County will be an effective way to reach Mr. Hamilton.

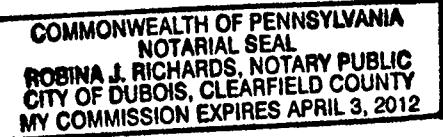


David J. Hopkins, Esquire
Attorney for Plaintiffs

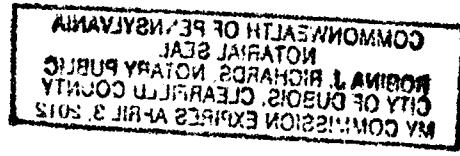
Sworn to and subscribed by me
this 9th day of June, 2008.



Robina J. Richards
Notary Public



FILED
JUN 10 2008
William A. Shaw
Clerk of Courts
Prothonotary



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

ROY J. MLAKAR and
MICHELE M. MLAKAR,
Plaintiffss

vs.

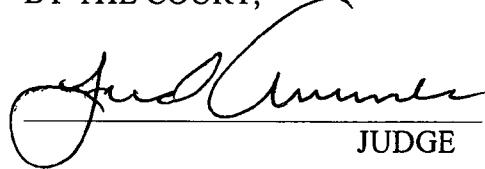
No. 2008-1063-C0

KARL O. JOHNSON,
RACHELLE JOHNSON, and
TERRY HAMILTON, and any heir,
persons claiming or who might claim title
under the aforesaid defendant; and any
other person, persons, firms, partnerships,
or corporate entities who might claim
title to the premises herein described,
Defendants

ORDER FOR PUBLICATION

AND NOW, this 11 day of June, 2008, upon the consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on Defendants, Karl O. Johnson, Rachelle Johnson and Terry Hamilton, 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 County Legal Journal. Notice shall also be provided to Terry Hamilton by sending a copy of the Complaint, with Notice to Plea, to P.O. Box 273210, Fort Collins, Colorado, 80527 by both Certified Mail, Return Receipt Requested and Regular Mail.

BY THE COURT,



JUDGE

FILED ^{ICC}
01/10/2008 Atty Hopkins
JUN 12 2008
(610)

William A. Shaw
Prothonotary/Clerk of Courts

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

ROY J. MLAKAR and :
MICHELE M. MLAKAR, :
Plaintiffs :
:
vs. : No. 2008-1063
:
:

KARL O. JOHNSON, :
RACHELLE JOHNSON, and :
TERRY HAMILTON, and any heir, : QUIET TITLE ACTION
persons claiming or who might claim title :
under the aforesaid defendant; and any :
other person, persons, firms, partnerships, :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :
:

TO: Mr. Terry Hamilton
P.O. Box 273210
Fort Collins, CO 80527

DATE OF NOTICE: July 10, 2008

FILED No CC.
07/11/2008
JUL 15 2008
WES

William A. Shaw
Prothonotary/Clerk of Courts

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.

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

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

ROY J. MLAKAR and :
MICHELE M. MLAKAR, :
Plaintiffs :
vs. :
: No. 2008-1063
:
:
KARL O. JOHNSON, :
RACHELLE JOHNSON, and :
TERRY HAMILTON, and any heir, :
persons claiming or who might claim title :
under the aforesaid defendant; and any :
other person, persons, firms, partnerships, :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :
:

FILED *EW*

AUG 11 2008
6/30/08
William A. Shaw
Prothonotary/Clerk of Courts
C/C

QUIET TITLE ACTION

MOTION FOR JUDGMENT

AND NOW, this 11th day of August, 2008, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiffs, Roy J. Mlakar and Michele M. Mlakar, 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 Plaintiffs, by and through their attorney, move the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above named case and to grant to the Plaintiffs the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiffs further request 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 Plaintiffs set forth in their Complaint.

Respectfully submitted,


David J. Hopkins, Esquire

**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

17th _____ day of **June** A.D., **2008**

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 Linda Smith

Sworn and subscribed to before me this 20th day of JUNE, 2008

Steven W. Kronenwetter

NOTARY PUBLIC

**THIS IS
NOT A
BILL**

Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT**
DuBois, PA

NOTARIAL SEAL
STEVEN W. KRONENWETTER, 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.....	\$387.45
Probating same.....	\$7.50
Total.....	\$394.95

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

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

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

ROY J. MLAKAR and
MICHELE M. MLAKAR,
Plaintiffs

vs.

No. 2008-1063

KARL O. JOHNSON,
RACHELLE JOHNSON, and
TERRY HAMILTON, and any heir,
persons claiming or who might claim title
under the aforesaid defendant; and any
other person, persons, firms, partnerships,
or corporate entities who might claim
title to the premises herein described,
Defendants:

QUIET TITLE ACTION

QUIET TITLE ACTION NOTICE

TO: KARL O. JOHNSON, RACHELLE JOHNSON and TERRY HAMILTON, their heirs,
devisees, administrators, executors, successors or 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 Clearfield
County, Pennsylvania has been commenced against you. Said premises is described as Section 18,
Lots 64 and 66 of the Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity
that the Defendants above named and their successors or assigns may have in the property described
above. The Plaintiffs in this action, after a diligent search, have been unable to locate the Defendants
or their successors and assigns.

Whereupon the Court Ordered that notice of said action be served on the Defendant and his suc-
cessors and assigns by publication.

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 PLAINTIFFS. 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 LAW-
YER 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

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

06/17/2008

PROOF OF PUBLICATION

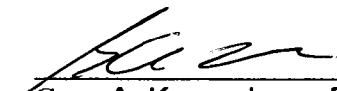
STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

On this 20th day of June AD 2008, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of June 20, 2008, Vol. 20, Nos. 25. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.

Sharon J Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Houtzdale, Clearfield County, PA
My Commission Expires, April 7, 2011

David J Hopkins
100 Meadow Lane Suite 5
DuBois PA 15801

Courthouse, 230 E. Market Street,
Clearfield, Pennsylvania 16830, (814) 765-2641.

David J. Hopkins, Esquire, Attorney for
Plaintiffs, 100 Meadow Lane, Suite 5,
DuBois, PA 15801, 814-375-0300.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)
No. 2008-1063

ROY J. MLAKAR and MICHELE M. MLAKAR, Plaintiffs vs. KARL O. JOHNSON, RACHELLE JOHNSON, and TERRY HAMILTON, and any heir, persons claiming or who might claim title under the aforesaid defendant; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described, Defendants.

QUIET TITLE ACTION
QUIET TITLE ACTION NOTICE

TO: KARL O. JOHNSON, RACHELLE JOHNSON and TERRY HAMILTON, their heirs, devisees, administrators, executors, successors or 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 Clearfield County, Pennsylvania has been commenced against you. Said premises is described as Section 18, Lots 64 and 66 of the Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity that the Defendants above named and their successors or assigns may have in the property described above. The Plaintiffs in this action, after a diligent search, have been unable to locate the Defendants or their successors and assigns.

Whereupon the Court Ordered that notice of said action be served on the Defendant and his successors and assigns by publication.

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 PLAINTIFFS. 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

BOCK, GERALD B., Dec'd
a/k/a **GERALD BRUCE BOCK**
Late of Clearfield
Executor: **JERRY B. BOCK**
Attorney: **KIMBERLY M. KUBISTA**
PO Box 1
15 North Front Street
Clearfield, PA 16830

First Publication

DANVER, LOIS C., Dec'd
Late of Clearfield
Executor: **DANIEL J. DUTTRY**
Attorney: **JOHN R. RYAN**
PO Box 1
15 North Front Street
Clearfield, PA 16830

HALE, JAMES P., Dec'd
Late of Curwensville
Administratrix: **VALERIE L. MAINES**
Attorney: **BLAISE J. FERRARACCIO**
301 East Pine Street
Clearfield, PA 16830

BURNETT, ESTHER M., Dec'd
Late of Lawrence Township
Executrix: **GRACE C. SERAFINI**
Attorney: **WARREN B. MIKESELL II**
115 East Locust Street
Clearfield, PA 16830

SHUGARTS, LEANNA MARIE, Dec'd
Late of Frenchville
Administratrix: **SUSAN SHUGARTS**
RANDON LEE SHUGARTS
Attorney: **JAMES A. NADDEO**
207 East Market Street
PO Box 552
Clearfield, PA 16830

WHITTON, THOMAS L., Dec'd
Late of Morrisdale
Executor: **WILLIAM B. VERBECK**
Attorney: **JOHN R. CARFLEY**
PO Box 249
Philipsburg, PA 16866

WITKOSKY, ANDREW R., Dec'd
Late of Morann
Executor: **FATHER ROBERT HORGAS**
Attorney: **BRIAN J. PULITO**
201 Chestnut Street, Suite 200
Meadville, PA 16335

HOCKMAN, RUTHORA M., Dec'd
a/k/a **RUTH M. HOCKMAN**
Late of DuBois
Executrix:
MARY ANN LLEWELLYN DIXON
Attorney: **GREGORY M. KRUK**
690 Main Street
Brockway, PA 15824

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **7006 0810 0001 0122 8336**

Detailed Results:

- Unclaimed, July 01, 2008, 8:58 pm, FORT COLLINS, CO
- Notice Left, June 20, 2008, 6:08 pm, FORT COLLINS, CO 80525
- Notice Left, June 16, 2008, 12:07 pm, FORT COLLINS, CO 80525

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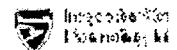
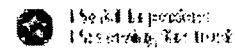
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

ROY J. MLAKAR and :
MICHELE M. MLAKAR, :
Plaintiffs :
:
vs. : No. 2008-1063
:
:

KARL O. JOHNSON, :
RACHELLE JOHNSON, and :
TERRY HAMILTON, and any heir, : QUIET TITLE ACTION
persons claiming or who might claim title :
under the aforesaid defendant; and any :
other person, persons, firms, partnerships, :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :
:

TO: Mr. Terry Hamilton
P.O. Box 273210
Fort Collins, CO 80527

DATE OF NOTICE: July 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.

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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ROY J. MLAKAR and :
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other person, persons, firms, partnerships, :
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Defendants :

FILED

AUG 11 2008
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William A. Shaw
Prothonotary/Clerk of Courts
No 8C

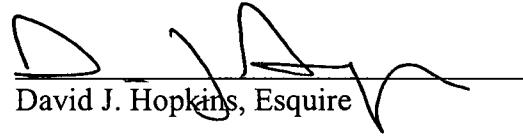
QUIET TITLE ACTION

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

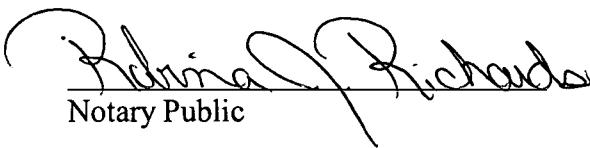
Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiffs, Roy J. Mlakar and Michele M. Mlakar, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants. Defendant, Terry Hamilton, by United States Mail - First Class, United States Mail - Certified Mail and by publication and Plaintiffs have served a "10 Day Notice pursuant to Pa.R.C.P. No. 237.1 upon Defendant Hamilton; and Defendants, Karl O. Johnson and Rachelle Johnson, and their heirs, devisees, administrators,

executors and assigns, were served by publication, and more than twenty (20) days have elapsed since said service; 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.

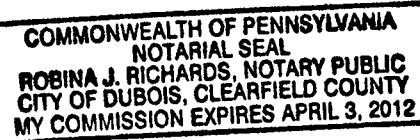


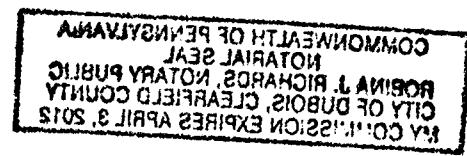
David J. Hopkins, Esquire

Sworn to and subscribed before me this
11th day of August, 2008.



Robina J. Richards
Notary Public





FILED
AUG 11 2008
William A. Shaw
Prothonotary/Clerk of Courts

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

ROY J. MLAKAR and :
MICHELE M. MLAKAR, :
Plaintiffs :
vs. :
: No. 2008-1063
:
KARL O. JOHNSON, :
RACHELLE JOHNSON, and :
TERRY HAMILTON, and any heir, :
persons claiming or who might claim title :
under the aforesaid defendant; and any :
other person, persons, firms, partnerships, :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :

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014:00 SA
AUG 13 2008

William A. Shaw
Prothonotary/Clerk of Courts
ICC Atty Hopkins

(60)

QUIET TITLE ACTION

ORDER

AND NOW, this 13 day of August, 2008 appearing that service of the Complaint to Quiet Title in the above stated action was served upon Defendant, Terry Hamilton, by United States Mail - First Class, United States Mail - Certified Mail and by publication and Defendants, Karl O. Johnson and Rachelle Johnson, by publication; and by Affidavit of David J. Hopkins, Attorney for Plaintiffs, 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, Karl O. Johnson, Rachelle Johnson and Terry Hamilton, 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 their Complaint in and to: Section 18, Lots 64 and 66 of the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania.

2. The property in this quite title action is identified as Section 18, Lots 64 and 66 of the Treasure Lake Subdivision, DuBois, Pennsylvania.

3. That title to said property is now vested in Roy J. Mlakar and Michele M. Mlakar as prayed.

4. That the rights of the Plaintiffs are superior to the rights of the Defendants, Karl O. Johnson, Rachelle Johnson and Terry Hamilton, 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 Plaintiffs have title in fee simple to said premises as described in the Complaint against the Defendants, Karl O. Johnson, Rachelle Johnson and Terry Hamilton, and their heirs, devisees, administrators, executors, and assigns.

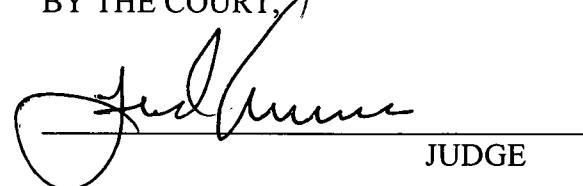
6. That the Defendants, Karl O. Johnson, Rachelle Johnson and Terry Hamilton, and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs 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,

A handwritten signature in black ink, appearing to read "Fred J. Dunn". The signature is fluid and cursive, with a prominent "J" at the beginning.

JUDGE

FILED

AUG 13 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 8/13/08

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: