

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

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

FRED COLE and VIRGINIA COLE, :
FIRST COMMONWEALTH BANK - :
TRUST DIVISION, EXECUTOR OF :
THE ESTATE OF CLETAS M. HELLER :
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 :

No. 2008-1088-CD

QUIET TITLE ACTION

Type of Pleading: Complaint

Filed on behalf of: Danny N. Gilbert, Sr.
and Missy L. Gilbert, Plaintiffs

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE
Attorney at Law

Supreme Court No. 42519
100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801

(814) 375-0300

FILED 1cc Atty
01/12:05 am Hopkins
JUN 13 2008
(U) pd \$105.00
William A. Shaw
Prothonotary/Clerk of Courts Atty

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

DANNY N. GILBERT, SR. and
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Plaintiffs

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No.

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FIRST COMMONWEALTH BANK -
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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,
Defendant

NOTICE

TO DEFENDANT:

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 ext. 5982

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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No.

QUIET TITLE ACTION

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or corporate entities who might claim
title to the premises herein described,
Defendants

COMPLAINT

NOW COMES, Plaintiffs, Danny N. Gilbert, Sr. and Missy L. Gilbert, by and through their attorneys, Hopkins Heltzel LLP, and files the within quiet title action and in support thereof says as follows:

COUNT I

1. Plaintiffs are Danny N. Gilbert, Sr. and Missy L. Gilbert, husband and wife, adult individuals, who resides at 301 Hemlock Road, DuBois, Pennsylvania 15801.

2. Defendants Fred Cole and Virginia Cole are husband and wife. Their whereabouts are unknown and believed to have died many years ago.

3. Defendant First Commonwealth Bank, Trust Division, Executor of the Estate of Cletas M. Heller. The principal business location of Defendant is Shaffer Road and Beaver Drive, DuBois, Pennsylvania 15801.

4. Cletas M. Heller died on June 7, 2006. His Last Will and Testament was dully admitted to probate by the Register of Wills of Clearfield County, Pennsylvania and First Commonwealth Bank - Trust Division was granted Letters Testamentary.

5. The property subject to this quiet title action is located in Union Township, Clearfield County, identified as Tax Parcel No. 129-0E05 - 0000038.6 and more fully described as follows:

All that certain tract of land situate in Union Township, Clearfield County, Pennsylvania, bounded as described as follows:

Beginning at a point in the centerline of Township Road T-360 leading from Home Camp to Narrows Creek, said point being the Northwest corner of lands now or formerly of Ruth and Clayton Bernard;

Thence by the centerline of said Township Road, North 3° 25' East, 59 feet, more or less to a point being the southwest corner of lands, now or formerly of Floyd and Ruth Wing;

Thence by the Southerly line of property now or formerly of Floyd and Ruth Wing, South 86° 35' East 421 feet, more or less to a point, said point being the Northwest corner of lands, now or formerly of Elmer Savage;

Thence by the Westerly line of Savage, South 3° 25' West 59 feet, more or less, to a point in the Northerly line, now or formerly of Reiland;

Thence by said Northerly and the Northerly line, now or formerly of Bernard, North 86° 35' West 421 feet, more or less, to a point and the place of beginning.

Containing 0.59 acres, more or less, and being identified on the Clearfield County Tax Assessment Map as Map No. 129-E05-000-038.6.

6. By Deed dated July 1, 1957 and recorded in the Office of the Recorder of Deeds of Clearfield County in Book 400, at page 299, Edith J. Wing, et al., conveyed the property to Defendants, Fred Cole and Virginia Cole, husband and wife.

7. It is suspected and therefore averred, Fred Cole and Virginia Cole, husband and wife, may have conveyed the property, or an interest in the property, to Cletas Heller. The basis of this belief is that Cletas Heller may have paid the real estate taxes assessed against the property for a number of years.

8. Notwithstanding the preceding paragraph, the property was returned for unpaid real estate taxes for the years 2004 and 2005 to the Tax Claim Bureau of Clearfield County, Pennsylvania.

9. By Deed dated April 18, 2007, and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2007-06380, the Tax Claim Bureau of Clearfield County, Pennsylvania, Trustee, under the provisions of the Act of July 7, 1947, P. L. 1368, and amendments thereto, conveyed the property to Mark C. Resch. At that time, the property was assessed in the name of Virginia Cole.

10. By Deed dated June 11, 2007, and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2007-10052, Mark C. Resch conveyed the property to Plaintiffs, Danny N. Gilbert, Sr. and Missy L. Gilbert.

11. The purpose of this quiet title action is to remove and terminate any claims of Defendants, Fred Cole and Virginia Cole their heirs, devisees, executors, administrators and assigns, may possess in the property.

12. The further purpose of this quiet title action is to remove and terminate any claims of Defendant Estate of Cletas Heller, his heirs, devisees, executors, administrators and assigns, may possess in the property in the event an unrecorded Deed is in existence or from Cletas

Heller's payment of real estate taxes. Pennsylvania being a race record state, the unrecorded Deed, if any, of Cletas Heller is invalid as to the subsequent Deeds to Mark C. Resch and Plaintiffs.

WHEREFORE, the Plaintiffs request the Court to decree that title to the premises described in paragraph five (5) of the Complaint be granted unto Plaintiffs, Danny N. Gilbert, Sr. and Missy L. Gilbert, in fee simple absolute; and that Defendants, Fred Cole, Virginia Cole and Estate of Cletas Heller, their heirs, devisees, executors, administrators and assigns, and all other person, persons, partnerships, limited liability companies 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.

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)

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

No. 2008-1088-CD

FRED COLE and VIRGINIA COLE,
FIRST COMMONWEALTH BANK -
TRUST DIVISION, EXECUTOR OF
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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,
Defendant

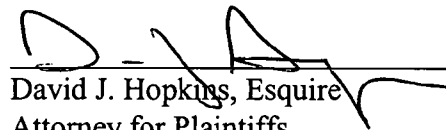
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0/12:05pm Hopkins
JUN 13 2008
William A. Shaw
Prothonotary/Clerk of Court

AFFIDAVIT OF UNKNOWN WHEREABOUTS

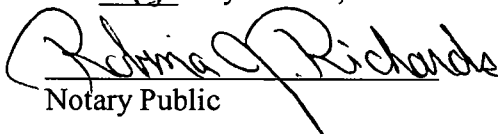
David J. Hopkins, being duly sworn according to law, hereby certifies:

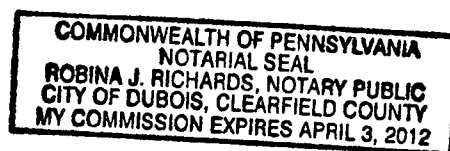
1. I have made a search for Defendants, Fred Cole and Virginia Cole. At some point prior to 2005, the Clearfield County Assessment Office changed its assessment card from Fred Cole and Virginia Cole to Virginia Cole leading your Affiant to believe that Fred Cole died. The Cole's were from Armstrong County. A search of the Prothonotary's office and the Office of the Recorder of Deeds does not give an indication as to the whereabouts of Fred Cole or Virginia Cole. The Armstrong County Register of Wills has no record of their deaths.
2. The Clearfield County assessment card identifies Virginia Cole as residing in Bay Shore, New York. I conducted a search of the telephone records of Bay Shore, New York and conducted a Google search and was unable to locate any individual by the name of Virginia Cole residing in Bay Shore, New York.

As a result of the above search, the whereabouts of the Defendants, Fred Cole and Virginia Cole,
are unknown.


David J. Hopkins, Esquire
Attorney for Plaintiffs

Sworn to and subscribed by me
this 13th day of June, 2008.


Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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DANNY N. GILBERT, SR. and
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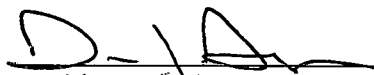
FRED COLE and VIRGINIA COLE,
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and any heir, persons claiming or who
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defendant; and any other person,
persons, firms, partnerships,
or corporate entities who might claim
title to the premises herein described,
Defendant

FILED 1cc A-Hy
9/12:05 am Hopkins
JUN 13 2008
William A. Shaw
Prothonotary/Clerk of Courts

MOTION FOR PUBLICATION

AND NOW, this 13th day of June, 2008, an Affidavit having been executed and filed on behalf of Danny N. Gilbert and Missy L. Gilbert, and that the whereabouts of Defendants, Fred Cole and Virginia Cole, their accumulative heirs, devisees, administrators, executors, successors or assigns, and all other person, persons, firms, partnerships, or corporate entities in interest are unknown. The Plaintiffs, by their 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

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

FILED

JUN 17 2008

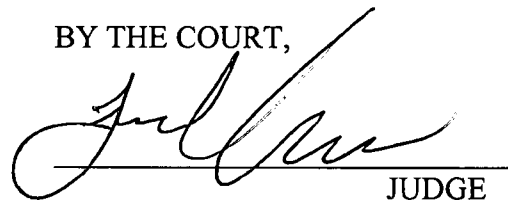
William A. Shaw
Prothonotary/Clerk of Courts

1 Clerk to Att

ORDER FOR PUBLICATION

AND NOW, this 16 day of June, 2008, upon the consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of the Complaint on Defendants, Fred Cole and Virginia Cole, 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.

BY THE COURT,


JUDGE

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

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

No. 2008-1088 C.D.

QUIET TITLE ACTION

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title to the premises herein described,
Defendants

TO: First Commonwealth Bank - Trust Division
Executor of the Estate of Cletas M. Heller
c/o David P. King, Esquire
23 Beaver Drive
P.O. Box 1016
DuBois, PA 15801

DATE OF NOTICE: July 22, 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.

FILED
0123961 NO CC
JUL 23 2008 60

William A. Shaw
Prothonotary/Clerk of Courts

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
230 East Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641



DAVID J. HOPKINS, ESQUIRE
Attorney for Plaintiffs
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)

DANNY N. GILBERT, SR. and
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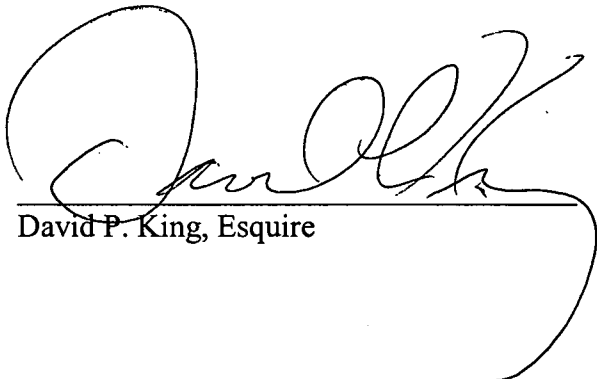
No. 2008-1088 C.D.

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or corporate entities who might claim
title to the premises herein described,
Defendants

ACCEPTANCE OF SERVICE

I, David P. King, Esquire, hereby accept service of the Complaint on behalf of my client,
First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller, this
18 day of June, 2008.



David P. King, Esquire

FILED NO CC
01:53 PM
AUG 08 2008
(Signature)

William A. Shaw
Prothonotary/Clerk of Courts

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

DANNY N. GILBERT, SR. and
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
No. 2008-1088 C.D.

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defendant; and any other person, :
persons, firms, partnerships, :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :

FILED

AUG 11 2008

6/3:35 (W) 
William A. Shaw
Prothonotary/Clerk of Courts
No 6/C

MOTION FOR JUDGMENT

AND NOW, this 11th day of August, 2008, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiffs, Danny N. Gilbert and Missy L. Gilbert, 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 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 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

7th day of July 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 14th day of JULY, 2008

Robin M. Duttry
NOTARY PUBLIC



Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of
**COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT**
DuBois, PA

NOTARIAL SEAL
ROBIN M. DUTTRY, 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.....	<u>\$396.68</u>
Probating same.....	<u>\$7.50</u>
Total.....	<u>\$404.18</u>

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)
No. 2008-1088C.D.
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Plaintiffs

vs.

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Defendants

QUIET TITLE ACTION NOTICE

TO: Fred Cole and Virginia Cole, 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 Union Township, Clearfield County, Pennsylvania has been commenced against you. Said premises is more fully described as follows:

All that certain tract of land situate in Union Township, Clearfield County, Pennsylvania, bounded as described as follows:

Beginning at a point in the centerline of Township Road T-360 leading from Home Camp to Narrows Creek, said point being the Northwest corner of lands now or formerly of Ruth and Clayton Bernard;

Thence by the centerline of said Township Road, North 3° 25' East, 59 feet, more or less to a point being the southwest corner of lands, now or formerly of Floyd and Ruth Wing;

Thence by the Southerly line of property now or formerly of Floyd and Ruth Wing, South 86° 35' East 421 feet, more or less to a point, said point being the Northwest corner of lands, now or formerly of Elmer Savage;

Thence by the Westerly line of Savage, South 3° 25' West 59 feet, more or less, to a point in the Northerly line, now or formerly of Reiland;

Thence by said Northerly and the Northerly line, now or formerly of Bernard, North 86° 35' West 421 feet, more or less, to a point and the place of beginning.

Containing 0.59 acres, more or less, and being identified on the Clearfield County Tax Assessment Map as Map No. 129-E05-000-038.6.

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, has been unable to locate the Defendants or their successors and assigns.

Whereupon the Court Ordered that notice of said action be served on the Defendants and their 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
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David J. Hopkins, Esquire
Attorney for Plaintiffs
100 Meadow Lane, Suite 5
DuBois, PA 15801
(814) 375-0300

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

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Paul Cherry Judge

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All advertisements must be in the hands
of the editor by 4:00 P.M. Friday of each
week.

Annual Subscription \$35.00
Single Copies \$.75

REPORT OF DEEDS

July 7, 2008

Kathryn Brown to Kathryn Brown
200810643 \$1
Richard Schrecengost to VI Network Inc
200810647 \$200
VI Network Inc to Yisroel Persky
200810648 \$275
Thomas Neff Sr. to Guardian Elder Care
200810655 \$280,000
HSBC Mortgage Services Inc to Janice
Weaver 200810664 \$55,000
Ricci Bush to Ricci Bush 200810679 \$1
John Saggese Sr. to John Saggese Sr.
200810683 \$1

Carole Ramble to Ray Kunkle
200810688 \$4,000
Ray Kunkle to Ray Kunkle 200810689
\$1
Ray Kunkle to Ray Kunkle 200810690
\$1
Jeffery Samick to John Johnston
200810708 \$11,000
James Hamilton Sr. to J. E. Hamilton Jr.
Family Trust 200810718 \$1
James Hamilton Jr. to R. E. Hamilton
Family Trust 200810719 \$1
Drew McGarry to Drew McGarry
200810720 \$10
Jack Rhines to Jack Rhines Revocable
Trust 200810731 \$1
Jack Rhines to Jack Rhines Revocable
Trust 200810732 \$1
Corey Wise to Leo Wise 200810752 \$1

REPORT OF DEEDS

July 8, 2008

Beneficial Cons Disc Co to Jesse
Trucker 200810758 \$12,000
Robert Johnson to Johnson Motors Inc
200810759 \$150,000
John Rideout to Stephanie Leisure Time
200810760 \$250
John Rideout to Stephanie Leisure Time
200810761 \$250
Alan Walker to Stephen Keller Jr.
200810778 \$14,382
William Workman to William Kolceski
200810781 \$168,000
Lori Hanslovan to Melinda Smith
200810783 \$68,264
Shawn McCracken to Thomas Stewart
200810798 \$18,500

REPORT OF DEEDS

July 9, 2008

Delores Sudik to Kathleen Howe
200810806 \$284
Agnes Ballock to Deborah Bell
200810807 \$1
James Sutton to Charles Sutton
200810813 \$1
Patrick Shive to Patrick Shive
200810816 \$1
Robert Grimmeringer to Jason Palski
200810842 \$11,850

REPORT OF DEEDS

July 10, 2008

John Marino to Larry Tyger 200810862
\$2,000
Dall Properties Inc to Laurie Cann
200810868 \$250
Ernest Leach to Business Vacation
Concepts Inc 200810876 \$3,593
Harold Swartz to Business Vacation
Concepts Inc 200810877 \$2,875
Todd Braniff to Nathan Glunt 200810894
\$64,900
Lawrence Shadeck to Stephen Shadeck
200810896 \$1
Thomas Moore to Edward Smith
200810902 \$750
Geraldine Shaffer to Joseph Dellantonio
200810910 \$50,000
Donald Hopp to Jeffery Gallagher
200810913 \$132,000
Clara Hannold to Sue Gelnett
200810915 \$1

REPORT OF DEEDS

July 11, 2008

Angelo Dipiazza to Rustie McCleary
200810957 \$3,550
David Commons to Kristie Commons
200810979 \$1
Carl Ellinger to Carl Ellinger 200810984
\$1
Bernard Walkowiak to Stephen
Hunsberger 200810996 \$122,000
David Ray to Kristina Kline 200811003
\$114,800
Deborah Guthridge to Deborah
Guthridge 200811020 \$10
Donald Hoppe to Crown Resorts LTD
200811022 \$10
Pamela Stellute to Crown Resorts LTD
200811023 \$300
Crown Resorts to Remy Burgunder
200811024 \$1,799
Nancy Watson to Crown Resorts LTD
200811025 \$10
Crown Resorts to Nancy Watson
200811026 \$10
Crown Resorts to Neil Vangelder
200811027 \$164
Crown Resorts to Neil Vangelder
200811028 \$134
Crown Resorts to Stephen Esh
200811029 \$1,599
Crown Resorts to Gary Snyder
200811030 \$1,199
Crown Resorts to Glenn Lytle
200811031 \$499
Crown Resorts to Larry Armstrong
200811032 \$499
Crown Resorts to Larry Armstrong
200811033 \$1,599

Frank Arabia to Crown Resorts LTD
200811035 \$10
Crown Resorts to Frank Arabia
200811035 \$10
Kye Mir to Key Mir 200811036 \$10
Reed Powell to Lowell Deal 200811037
\$10
Terry Dermo to Crown Resorts LTD
200811038 \$10
Frederick McLaughlin to Roger Peters
200811049 \$160,000

REPORT OF MORTGAGES

July 7, 2008

Henry Gosch to Mortgage Electronic
Registration Systems Inc 200810651
\$70,752
James Hutton Sr. to Holiday Financial
Services Corp 200810656 \$11,259.14
Thomas Petraits to First Common-
wealth Bank 200810665 \$35,000
Norma Long to First Commonwealth
Bank 200810667 \$65,225
William Bumbarger to CNB Bank
200810669 \$54,891.19
Edward McGuire Jr. to CNB Bank
200810671 \$12,150
Robert Shimmel to CNB Bank
200810673 \$3,972
Marykay Evans to CNB Bank
200810675 \$30,808.51
Clifford Waiple II to CNB Bank
200810677 \$24,977.06
Ricci Bush to Mortgage Electronic
Registration Systems Inc 200810680
\$115,000
David Muraski to PNC Bank National
Association 200810696 \$20,156
Roger Graffius to Investment Savings
Bank 200810711 \$60,500

REPORT OF MORTGAGES

July 8, 2008

Mark Forbaugh to CNB Bank
200810764 \$28,150
John McDonald to CNB Bank
200810765 \$50,000
Randy Mitchell to Northwest Savings
Bank 200810779 \$75,000
David Wilson to State Farm Bank
200810780 \$30,000
William Kolceski to CNB Bank
200810782 \$134,400
Melinda Smith to Mortgage Electronic
Registration Systems Inc 200810791
\$44,000
Andrew Park to Elk County Savings &
Loan Assn 200810791 \$44,000

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 Maureen 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 July, 2008.

The Accounts will be presented to the Orphans' Court for Confirmation (NIS) on the first Monday in August, 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.

Darwin L. Ditty, Executor, Estate of Harold Leroy Ditty, late of Pottersdale, Clearfield County.

Mary Walker, Executrix, Estate of Charles E. Walker a/k/a Charles E. Welker, late of Clearfield, Clearfield County.

Margaret A. Klein, Executrix, Estate of Virginia May Berardini a/k/a Virginia M. Berardini, late of Smithmill, Clearfield County.

Emily N. Barnhart, Administratrix, Estate of Paul D. Barnhart, late of Clearfield, Clearfield County.

Enos Allen Crowe, Executor, Estate of Jennie E. Crowe, late of Brockway, Jefferson County.

Fourth & Partial Account of S & T Bank, Trustee, Roger C. Bوجلad Trust A, late of DuBois, Clearfield County.

Second & Partial Account of S & T Bank, Trustee, George R. Somme T/U/W, late of DuBois, Clearfield County.

S & T Bank, Trustee of Francis E. Vail, Irrevocable Trust, late of DuBois, Clearfield County.

Michelle J. Mahaffey, Administratrix, Estate of Gary Warren Vincent a/k/a Gary W. Vincent, late of DuBois, Clearfield County.

Fourth & Partial Account of S & T Bank, Trustee, Donald B. Kiel FBO Laura Allen Hindawy Trust, late of DuBois, Clearfield County.

MAURENE E. INLOW, REGISTER OF WILLS & CLERK OF ORPHANS' COURT.
ADV. July 11 & 18, 2008.

NOTICE

NOTICE IS HEREBY GIVEN, that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on the 3rd day of June, 2008 for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the Corporation Law of the Commonwealth of Pennsylvania of 1988.

The name of the corporation is BASH CONTRACTING, INC.

The purpose for which it is to be organized is to have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Pennsylvania Corporation Law of 1988.

Naddao & Lewis, LLC, 207 East Market Street, P.O. Box 552, Clearfield, PA 16830.

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

No. 2008-1088 C.D.
QUIET TITLE ACTION

DANNY N. GILBERT, SR. and MISSY L. GILBERT, Plaintiffs vs. FRED COLE and VIRGINIA COLE, FIRST COMMON-WEALTH BANK - TRUST DIVISION, EXECUTOR OF THE ESTATE OF CLETAS M. HELLER 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 NOTICE

TO: Fred Cole and Virginia Cole, 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 Union Township, Clearfield County, Pennsylvania has been commenced against you. Said premises is more fully described as follows:

All that certain tract of land situate in Union Township, Clearfield County, Pennsylvania, bounded as described as follows:

Beginning at a point in the centerline of Township Road T-360 leading from Home Camp to Narrows Creek, said point being the Northwest corner of lands now or

formerly of Ruth and Clayton Bernard;

Thence by the centerline of said Township Road, North 3° 25' East, 59 feet, more or less to a point being the southwest corner of lands, now or formerly of Floyd and Ruth Wing;

Thence by the Southerly line of property now or formerly of Floyd and Ruth Wing, South 86° 35' East 421 feet, more or less to a point, said point being the Northwest corner of lands, now or formerly of Elmer Savage;

Thence by the Westerly line of Savage, South 3° 25' West 59 feet, more or less, to a point in the Northerly line, now or formerly of Reiland;

Thence by said Northerly and the Northerly line, now or formerly of Bernard, North 86° 35' West 421 feet, more or less, to a point and the place of beginning.

Containing 0.59 acres, more or less, and being identified on the Clearfield County Tax Assessment Map as Map No. 129-E05-000-038.6.

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, has been unable to locate the Defendants or their successors and assigns.

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

SHERIFF'S SALE OF VALUABLE REAL ESTATE

BY VIRTUE OF: Writ of Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Courthouse in the Borough of Clearfield on Friday, August 1, 2008, 10:00 A.M. THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

LEGAL DESCRIPTION

ALL that certain lot with improvements thereon situate in the Borough of Cummensville, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at East corner of lot, now or formerly of W. A. Dale, and Filbert Street; thence by said lot Westward one hundred and ninety (190) feet to an alley; thence by said alley Northward, sixty (60) feet to lot, now or formerly of E.A. Invin; thence by said lot, Eastward one hundred and ninety (190) feet to Filbert Street; thence by said street Southward, sixty (60) feet to place of beginning.

UNDER and SUBJECT to all existing easements, covenants, conditions and restrictions of record, BEING known as Tax Parcel #6.1-H10-280.5.

BEING the same premises which Daniel J. Russell and Cynthia E. Russell, husband and wife, by Deed dated April 29, 1996 and recorded May 2, 1996 in Clearfield County in Deed Book Volume 1755 at Page 101, granted and conveyed unto Darrin L. Swanson and Lesa M. Swanson, husband and wife.

PARCEL IDENTIFICATION NO. H10-280-00005 CONTROL: 006108835

TITLE TO SAID PREMISES IS VESTED IN James A. Demchak, by Deed from Darrin L. Swanson and Lesa M.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

(CIVIL DIVISION)

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

No. 2008-1088 C.D.

QUIET TITLE ACTION

FRED COLE and VIRGINIA COLE,
FIRST COMMONWEALTH BANK -
TRUST DIVISION, EXECUTOR OF
THE ESTATE OF CLETAS M. HELLER
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

ACCEPTANCE OF SERVICE

I, David P. King, Esquire, hereby accept service of the Complaint on behalf of my client,

First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller, this

18 day of June, 2008.


David P. King, Esquire

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

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

No. 2008-1088 C.D.

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FRED COLE and VIRGINIA COLE,
FIRST COMMONWEALTH BANK -
TRUST DIVISION, EXECUTOR OF
THE ESTATE OF CLETAS M. HELLER
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

TO: First Commonwealth Bank - Trust Division
Executor of the Estate of Cletas M. Heller
c/o David P. King, Esquire
23 Beaver Drive
P.O. Box 1016
DuBois, PA 15801


DATE OF NOTICE: July 22, 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
230 East Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641



DAVID J. HOPKINS, ESQUIRE
Attorney for Plaintiffs
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)

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

No. 2008-1088 C.D.

QUIET TITLE ACTION

FRED COLE and VIRGINIA COLE, :
FIRST COMMONWEALTH BANK - :
TRUST DIVISION, EXECUTOR OF :
THE ESTATE OF CLETAS M. HELLER :
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

AUG 11 2008

0/33s/w
William A. Shaw
Prothonotary/Clerk of Courts


NO C/C

AFFIDAVIT

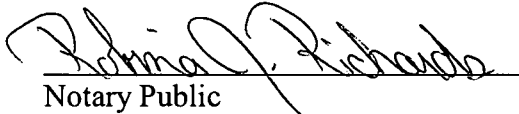
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

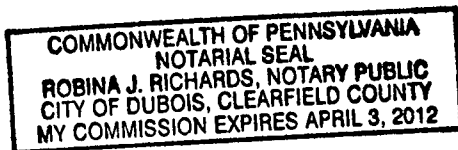
Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiffs, Danny N. Gilbert and Missy L. Gilbert, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants. Defendants, Fred Cole and Virginia Cole, were served by publication, and more than twenty (20) days have elapsed since said service; and Plaintiffs have served a "10 Day Notice" pursuant to PaR.C.P. No. 237.1 upon Defendants, First

Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller, 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.


Notary Public



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

DANNY N. GILBERT, SR. and
MISSY L. GILBERT,
Plaintiffs

vs.

No. 2008-1088 C.D.

QUIET TITLE ACTION

FRED COLE and VIRGINIA COLE, :
FIRST COMMONWEALTH BANK - :
TRUST DIVISION, EXECUTOR OF :
THE ESTATE OF CLETAS M. HELLER :
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

014:00301
AUG 13 2008

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

(GIC)

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 Defendants, Fred Cole and Virginia Cole by publication; by Acceptance of Service of David P. King, Esquire, for Defendants First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller; 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, Fred Cole and Virginia Cole, First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller 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:

All that certain tract of land situate in Union Township, Clearfield County, Pennsylvania, bounded as described as follows:

Beginning at a point in the centerline of Township Road T-360 leading from Home Camp to Narrows Creek, said point being the Northwest corner of lands now or formerly of Ruth and Clayton Bernard;

Thence by the centerline of said Township Road, North 3° 25' East, 59 feet, more or less to a point being the southwest corner of lands, now or formerly of Floyd and Ruth Wing;

Thence by the Southerly line of property now or formerly of Floyd and Ruth Wing, South 86° 35' East 421 feet, more or less to a point, said point being the Northwest corner of lands, now or formerly of Elmer Savage;

Thence by the Westerly line of Savage, South 3° 25' West 59 feet, more or less, to a point in the Northerly line, now or formerly of Reiland;

Thence by said Northerly and the Northerly line, now or formerly of Bernard, North 86° 35' West 421 feet, more or less, to a point and the place of beginning.

Containing 0.59 acres, more or less, and being identified on the Clearfield County Tax Assessment Map as Map No. 129-E05-000-038.6.

2. The property in this quite title action is identified as Tax Parcel No. 129-0E05 - 0000038.6.

3. That title to said property is now vested in Danny N. Gilbert and Missy L. Gilbert, as prayed.

4. That the rights of Danny N. Gilbert and Missy L. Gilbert are superior to the rights of the Defendants, Fred Cole and Virginia Cole, First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller, 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 Danny N. Gilbert and Missy L. Gilbert have title in fee simple to said premises as described in the Complaint against the Defendants, Fred Cole and Virginia Cole, First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller and their heirs, devisees, administrators, executors, and assigns.

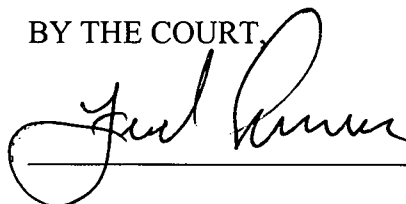
6. That the Defendants, Fred Cole and Virginia Cole, First Commonwealth Bank - Trust Division, Executor of the Estate of Cletas M. Heller and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of Danny N. Gilbert and Missy L. Gilbert 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 Danny N. Gilbert and Missy L. Gilbert 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 Cole", written over a horizontal line.

JUDGE

FILED

AUG 13 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 8/13/08

X 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: