

08-1156-CD
E. Gray III vs Cfd Cty Bd of Assessment

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION-LAW

ERNEST L. GRAY, III.

Petitioner

vs.

CLEARFIELD COUNTY TAX CLAIM
BUREAU

Respondent

*
* No. 2008-1156-C0

*

*

*

*

* IN RE: Property Tax Code No.: 3 cmt to
* 106-M9-628-016

*

*

*

* TYPE OF PLEADING: PETITION TO

* HALT PRIVATE TAX SALE

*

* FILED ON BEHALF OF:

* PETITIONER

*

* ATTORNEY FOR PETITIONER:

* David C. Mason, Esquire

* Supreme Court ID #39180

* MASON LAW OFFICE

* P.O. Box 28

* Philipsburg, PA 16866

* (814) 342-2240

*

FILED

JUN 24 2008

0111:05 (un)

William A. Shaw
Prothonotary/Clerk of Courts

ATTN

Original
Upstairs

6A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA
CIVIL DIVISION-LAW

ERNEST L. GRAY, III.

Petitioner

vs.

CLEARFIELD COUNTY TAX CLAIM
BUREAU,

Respondent

*
* No. 2008-1156- CD

*

*

*

*

*

*

*

*

*

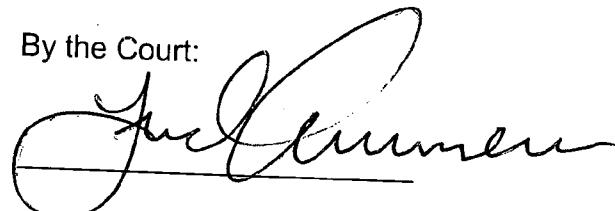
*IN RE: Property Tax Code No.:
* 106-M9-628-016

ORDER

AND NOW, on this 24 day of June, 2008, upon
consideration of the foregoing Petition, it is the Order of this Court that;

1. Private Tax Sale of the within referenced property which is scheduled for Wednesday, June 25, 2008, is hereby stayed for a period of not less than thirty (30) days.
2. Petitioner is permitted to pay, satisfy and discharge all delinquent taxes against the above referenced property tax code number.

By the Court:



FILED
02:40pm
JUN 24 2008

3CC ATT
mason
6K

William A. Shaw
Prothonotary/Clerk of Courts

FILED

JUN 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE 6-24-2008

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:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION-LAW

ERNEST L. GRAY, III.

Petitioner

vs.

CLEARFIELD COUNTY TAX CLAIM
BUREAU

Respondent

* No. 2008-1156-C0

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION-LAW

ERNEST L. GRAY, III.

Petitioner

VS.

CLEARFIELD COUNTY TAX CLAIM
BUREAU,

Respondent

*
* No.
*
*
*
*
*
* IN RE: Property Tax Code No.:
* 106-M9-628-016
*

PETITION TO HALT PRIVATE TAX SALE

AND NOW, comes the Petitioner, Ernest L. Gray, III., by and through his counsel, DAVID C. MASON, and petitions the Court to halt the scheduled private sale for non-payment of taxes of certain real estate, and in support thereof avers as follows:

1. Petitioner is Ernest L. Gray, III., an adult individual who resides at 441 N. Queen Street, Lancaster, Pennsylvania, 17601..
2. Respondent is the Clearfield County Tax Claim Bureau, Courthouse Annex, Clearfield, Pennsylvania, 16830.
3. Petitioner is the owner of certain premises situate, lying and being in the Township of Bradford, Clearfield County, Pennsylvania, identified on the tax maps of said township and county as 106-M9-628-016.
4. Pursuant to notices published in the Clearfield Progress and the Clearfield County Legal Journal a private sale for non-payment of real estate taxes is scheduled for June 25, 2008, at 9:00 a.m.
5. Petitioner did not receive actual notice of this sale until most recently.
6. Upon being told of the pending tax sale by his sister, Petitioner contacted the

undersigned counsel, who obtained from the Clearfield County Tax Claim Bureau a letter, mailed to Petitioner at a former address. Attached as Exhibit "A" is a copy of that letter.

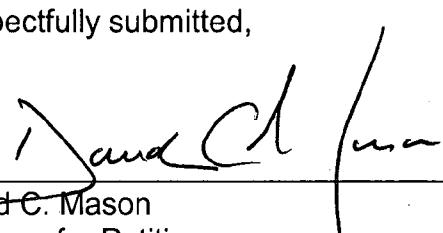
7. It is believed and therefore averred that Petitioner's due process rights will be violated by the conduct of this sale without proper notice having been given to the Petitioner.

8. It is believed and therefore averred that substantial harm will befall the Petitioner by the conduct of this sale in this manner, at this time, as the value of the property greatly exceeds the amount bid at private tax sale (\$300.00) and the amount of back taxes due and owing (approximately \$3,000.00).

9. It is believed and therefore averred that staying this private tax sale will not prejudice the Tax Claim Bureau or the respective taxing authorities as Petitioner intends to pay, satisfy, and discharge all delinquent taxes within fourteen (14) days of June 25, 2008.

WHEREFORE, Petitioner prays Your Honorable Court for the entry of an Order staying the private tax sale of property tax code number **106-M09-628-00016** currently scheduled for June 25, 2008, at 9:00 A. M. , for a period of not less than thirty (30) days in order to allow Petitioner to pay, satisfy and discharge all delinquent taxes against the above referenced property tax code number.

Respectfully submitted,



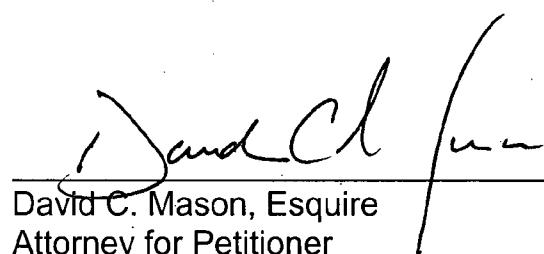
David C. Mason
Attorney for Petitioner

VERIFICATION

I, David C. Mason, Esquire, Attorney for Petitioner, do verify that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information and belief based upon my knowledge of the facts of the case as expressed to me by Petitioner, Ernest L. Gray, III., This verification is provided by counsel because Petitioner is outside of the jurisdiction of the Court and his verification cannot be obtained within the time allowed for filing the pleading. This verification subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATED:

June 24, 2008



David C. Mason, Esquire
Attorney for Petitioner

Clearfield County Tax Claim Bureau



230 EAST MARKET STREET
SUITE 121
Clearfield, Pennsylvania 16830

TELEPHONE (814) 765-2641
FAX (814) 765-2640

April 25, 2008

Ernest L Gray III
1220 Hill Crest
Lancaster PA 17601

Bradford Twp

RE: MAP # 106-M09-628-00016
DESC: H & L
402 MAIN ST
OWNER: ERNEST L. GRAY III

Dear Mr. Gray,

Please be advised that this office has received and accepted a bid of \$300.00 for the above referenced property. Real estate taxes have been unpaid on this property from 2003 to 2007, although offered at tax sale; no bid has been received until now.

The sale has been scheduled for June 25, 2008 at 9:00 AM in the Tax Claim Bureau, 230 E Market Street Clearfield. Notice of this proposed sale will be published in The Progress and the Clearfield County Legal Journal on April 25, 2008 and May 9, 2008. Any party objecting to the sale price accepted for these properties may, within forty-five days of this notice, petition the Court of Common Pleas to disapprove the sale.

Should you have further questions, please contact me at 765-2641.

Sincerely,

Mary Anne Wesdock
Mary Anne Wesdock, Director

MAW/nac