

08-1352-CD

G. Levanduski al vs Philip Reitzel al

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

GARY M. LEVANDUSKI AND  
MICHELE ANN LEVANDUSKI

PLAINTIFFS

VS.

PHILIP REITZEL, a/k/a PHILIP  
REITZEL; MARGARET REITZEL;  
a/k/a MARGARET REITZEL;  
ELIZABETH A. RIGGS; WILLIAM  
M. RIGGS; MARION E. WILLIAMS;  
DONALD B. RIGGS; JOHN CRAIG;  
WILLIAM E. RIGGS; CATHERINE  
CRAIG; GEORGE F. CRAIG;  
KATHERINE C. MUNRO, a/k/a  
KATHERINE CRAIG MUNRO;  
ELINOR C. JANNEY; THOMAS  
JANNEY; DOROTHY ELIZABETH  
CRAIG; HENRY SHILLINGFORD  
CRAIG; and COMMONWEALTH  
TITLE INSURANCE & TRUST  
COMPANY, their successors, assigns,  
directors, officers, shareholders,  
and any of  
the foregoing's legal representatives,  
heirs and all other person, persons  
or corporation entities in interest, or  
their legal representatives,

DEFENDANTS

NO. 08 - 1352 - CD

TYPE OF CASE: ACTION TO  
QUIET TITLE

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF: PLAINTIFFS  
GARY M. LEVANDUSKI AND  
MICHELE ANN LEVANDUSKI

COUNSEL OF RECORD:  
CHRISTOPHER E. MOHNEY, ESQUIRE

SUPREME COURT NO.: 63494

25 EAST PARK AVENUE, SUITE 6  
DUBOIS, PA 15801  
(814) 375-1044

**FILED**

6 1:26 PM GK  
JUL 23 2008

ICC 4774

William A. Shaw  
Prothonotary/Clerk of Courts

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

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

PLAINTIFFS

VS.

PHILIP REITZEL, a/k/a PHILIP  
REITZEL, MARGARET REITZEL;  
a/k/a MARGARET REITZEL;  
ELIZABETH A. RIGGS; WILLIAM  
M. RIGGS; MARION E.  
WILLIAMS; DONALD B. RIGGS;  
WILLIAM E. RIGGS; JOHN  
CRAIG; CATHERINE  
CRAIG; GEORGE F. CRAIG;  
KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO;  
ELINOR C. JANNEY; THOMAS  
JANNEY; DOROTHY  
ELIZABETH CRAIG; HENRY  
SHILLINGFORD CRAIG; and  
COMMONWEALTH TITLE  
INSURANCE & TRUST  
COMPANY, their successors,  
assigns, directors, officers,  
shareholders, and any of the  
foregoing's legal representatives,  
heirs and all other person, persons  
or corporation entities in interest,  
or their legal representatives,

DEFENDANTS

NO. 08 -

TYPE OF CASE: ACTION TO  
QUIET TITLE

**NOTICE**

TO: PHILIP REITZEL, a/k/a PHILIP REITZEL; MARGARET REITZEL, a/k/a  
MARGARET REITZEL; ELIZABETH A. RIGGS; WILLIAM M. RIGGS;  
MARION E. WILLIAMS; DONALD B. RIGGS; WILLIAM E. RIGGS; JOHN  
CRAIG; CATHERINE CRAIG; GEORGE F. CRAIG; KATHERINE C.

MUNRO, a/k/a KATHERINE CRAIG MUNRO; ELINOR C. JANNEY; THOMAS JANNEY; DOROTHY ELIZABETH CRAIG; HENRY SHILLINGFORD CRAIG; and COMMONWEALTH TITLE INSURANCE & TRUST COMPANY, their successors, assigns, directors, officers, shareholders, and any of the foregoing's legal representatives, heirs and all other person, persons or corporation entities in interest, or their legal representatives,

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO PREMISES SITUATE IN HUSTON TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. SAID PREMISES ARE DESCRIBED AS FOLLOWS:

ALL that certain piece or parcel of land situate, lying and being in Huston Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn, said point being the northwest corner of the herein described parcel now owned by Gary M. Levanduski and Michele Ann Levanduski (Instrument Number 200419026, dated October 23, 2004; thence N 85° - 00'E 160.00' to a point on the westerly boundary of Spruce Street (50' right-of-way); thence south 05°-00'E 100' along Spruce Street to a point that is the southwestern corner of the herein described parcel, also being the northeast corner of lands marked "area of indeterminable ownership" on survey map prepared by Thomas M. Gorzalkowski, PLS dated March 27, 2007; thence S85°-00'W 160' along the "area of indeterminable ownership" to point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn; thence N05°-00'W 150.00' to the place of beginning.

BEING 2 LOTS (Identified as Clearfield County Assessment Map #119-G3-29.) and the above legal description being prepared pursuant to a survey prepared for Gary M. Levanduski, et. al. by Thomas M. Gorzalkowski, PLS on March 27, 2007.

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 CLAIM 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 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.

DANIEL J. NELSON, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641, Ext. 5982

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

GARY M. LEVANDUSKI and	:	NO. 08 -
MICHELE ANN LEVANDUSKI,	:	
	:	TYPE OF CASE: ACTION TO
PLAINTIFFS	:	QUIET TITLE
	:	
	:	
	:	
VS.	:	
	:	
PHILIP REITZEL, a/k/a PHILIP	:	
REITZEL, et. al.,	:	
their successors, assigns, directors,	:	
officers, shareholders, and any of	:	
the foregoing's legal representatives,	:	
heirs and all other person, persons	:	
or corporation entities in interest, or	:	
their legal representatives,	:	
	:	
DEFENDANTS	:	

**COMPLAINT**

AND NOW, comes the Plaintiffs, **GARY M. LEVANDUSKI and MICHELE ANN LEVANDUSKI**, by and through their attorney, **CHRISTOPHER E. MOHNEY, ESQUIRE**, and files the following Quiet Title Action, averring as follows:

1. Plaintiffs **GARY M. LEVANDUSKI and MICHELE ANN LEVANDUSKI** are adult individuals, and husband and wife, with an address of 3807 Quail Covey Drive, Valparaiso, Indiana, 46383.

2. All named Defendants whereabouts are unknown, as is more fully set forth in a Motion for Service of Complaint on Defendants by Publication being contemporaneously, but separately, with this Complaint

3. The purpose of this action is to quiet title to the following described real estate:

ALL that certain piece or parcel of land situate, lying and being in Huston Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn, said point being the northwest corner of the herein described parcel now owned by Gary M. Levanduski and Michele Ann Levanduski (Instrument Number 200419026, dated October 23, 2004; thence N 85° - 00'E 160.00' to a point on the westerly boundary of Spruce Street (50' right-of-way); thence south 05°-00'E 100' along Spruce Street to a point that is the southwestern corner of the herein described parcel, also being the northeast corner of lands marked "area of indeterminable ownership" on survey map prepared by Thomas M. Gorzalkowski, PLS dated March 27, 2007; thence S85°-00'W 160' along the "area of indeterminable ownership" to point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn; thence N05°-00'W 150.00' to the place of beginning.

BEING 2 LOTS (Identified as Clearfield County Assessment Map #119-G3-29.) and the above legal description being prepared pursuant to a survey prepared for Gary M. Levanduski, et. al. by Thomas M. Gorzalkowski, PLS on March 27, 2007.

4. Plaintiffs are now the lawful owner and in possession of the real estate subject of this quiet title action, based on the following chain of title:

(a.) By deed dated October 23, 2004, and recorded in the Recorder of Deeds Office for Clearfield County, Pennsylvania<sup>1</sup> as instrument number 200419026, Gary M.

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<sup>1</sup> All instruments referenced hereinafter in this complaint are recorded in the Recorder of Deeds Office for Clearfield County, Pennsylvania.

Levanduski and Michele Ann Levenduski; James E. Levanduski and Donna J. Levanduski; and James K. Levanduski and Deborah G. Levanduski conveyed the above-described real estate to Plaintiffs;

(b.) by deed dated April 20, 2000, and recorded as instrument number 200006021, Patrick H. Mowrey and Kim Mowrey Hobba, Trustees of the Patrick H. Mowrey Family Trust, and Kim Mowrey Hobba and Patrick H. Mowrey, Trustees of the Kim Mowrey Hobba Family Trust, and Kim Mowrey Hobba and Patrick H. Mowrey conveyed the above-described real estate to Gary M. Levanduski, James E. Levanduski and James K. Levanduski; and

(c.) by deed dated December 10, 1993, and recorded in Record Book Volume 1580, Page 426, The Tax Claim Bureau of Clearfield County conveyed the above-described real estate to Patrick H. Mowrey, Kim Mowrey Hobba, Patrick H. Mowry and Kim Mowrey Hobba, Trustees of the Patrick H. Mowrey Family Trust, and Patrick H. Mowrey and Kim Mowrey Hobba, Trustees of the Kim Mowrey Hobba Family Trust.

5. The aforementioned deed in paragraph 4(c.) of this complaint, from the Tax Claim Bureau to Mowrey, et. al., lists the real estate subject of this quiet title action as being the property of "UNKNOWN", which is why Plaintiffs indicate a named Defendant as being "all other person".

6. Plaintiffs believe, and therefore aver, that part of the real estate subject of this quiet title action was originally vested in Defendant **PHILIP REITZEL, a/k/a PHILIP REITZELL** by virtue of an unrecorded deed, to which unrecorded deed reference is made in deed from Henry B. Neely, Executor for Charles Blanchard to Defendant **COMMONWEALTH TITLE INSURANCE & TRUST COMPANY** dated



December 10, 1904 and recorded in Deed Book Volume 147, Page 20, and devolved as follows:

(a.) Defendant **PHILIP REITZEL a/k/a PHILIP REITZELL** died on September 4, 1921, leaving a surviving spouse, namely, Defendant **MARGARET REITZEL a/k/a MARGARET REITZELL** and one known child, a married daughter, namely, Defendant **ELIZABETH A. RIGGS** and her husband Defendant **WILLIAM M. RIGGS**;

(b.) Defendant **ELIZABETH A. RIGGS** died August 27, 1945 leaving three (3) children, namely, Defendants **MARION E. WILLIAMS, DONALD B. RIGGS and WILLIAM E. RIGGS**;

(c.) there are no located estates opened in Clearfield County, Pennsylvania for Defendants **WILLIAM M. RIGGS, MARION E. WILLIAMS, DONALD B. RIGGS or WILLIAM E. RIGGS**.

7. Plaintiffs believe, and therefore aver, that another part of the real estate subject of this quiet title action may have been vested in Defendant **COMMONWEALTH TITLE INSURANCE & TRUST COMPANY** by virtue of the deed referenced in paragraph 6 of this Complaint; another part of the real estate subject of this quiet title action was vested in Defendant **JOHN CRAIG**; another part of the real estate subject of this quiet title action was vested in Defendant **GEORGE F. CRAIG**, and devolved as follows:

(a.) Defendant **JOHN CRAIG** died on September 14, 1885, survived by his wife, Defendant **CATHERINE CRAIG**;

(b.) Defencant **CATHERINE CRAIG** died on June 20, 1913, leaving as heirs Defendants **KATHERINE C. MUNRO a/k/a KATHERINE CRAIG MUNRO, ELINOR C. JANNEY and her husband THOMAS JANNEY, and DOROTHY ELIZABETH CRAIG and HENRY SHILLINGFORD CRAIG.**

8. No third party has ever made any claim of any kind to ownership of interest and/or claim to or upon the real estate subject to this quiet title action and as to Plaintiffs.

9. Plaintiffs are unaware of any right, title or interest claimed by any of the named Defendants, nor have the Plaintiffs been able to learn anything of any other heirs of the named Defendants.

10. Plaintiffs have been informed and therefore believe that the Defendants and/or their successors or any other person, as named in the caption, may have a claim adverse to the Plaintiffs.

11. Any such claim(s) by Defendants, as named in the caption, including Defendants, heirs, successors, etc., are without any right whatsoever, and Defendants' potential claims are wholly without right and constitute clouds on the Plaintiffs' title, which Plaintiffs' desire to remove.

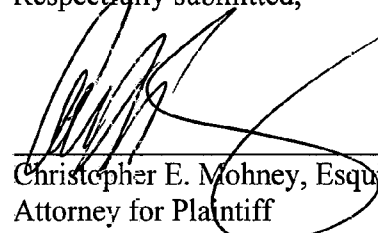
12. This action is brought to clear any and all clouds on the title to the ownership in interest to the real estate described in Paragraph 3 of this Complaint, which the herein named Defendants and all other persons possess or might claim, possess or assert pertaining to any alleged irregularities in the chain of title set forth.

13. This suit to quiet title is instituted under the terms and provisions of Pennsylvania Rules of Civil Procedure 1061 to 1067, inclusive, pertaining to the quieting of titles and other pertinent rules of local procedure.

WHEREFORE, your Plaintiffs request this Honorable Court to decree that title to the real estate described in Paragraph 3 of this Complaint is in the name of **GARY M. LEVANDUSKI and MICHELE ANN LEVANDUSKI**, and that Defendants, their successors, assigns, directors, officers, shareholders, and any of the foregoing's legal representatives, heirs and all other person, persons, or corporation entities in interest, or their legal representatives, be forever barred from asserting any right, title, lien or interest in the land in question that is inconsistent with the interests of the Plaintiffs as set forth herein to the said real estate, or impeaching, denying or in any way attacking the Plaintiffs' title to the said real estate; and that your Honorable Court make any other necessary Order for the granting of proper relief as it deems necessary to equitably and legally recognize and preserve Plaintiffs' rights in this matter.

Respectfully submitted,

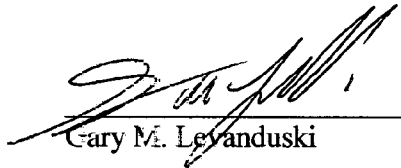
By:

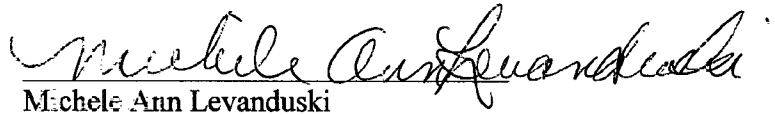
  
\_\_\_\_\_  
Christopher E. Mohny, Esquire  
Attorney for Plaintiff

**VERIFICATION**

We, **GARY M. LEVANDUSKI** and **MICHELE ANN LEVANDUSKI**, being duly authorized to make this verification, have read the foregoing Complaint. The statements therein are correct to the best of our personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

  
\_\_\_\_\_  
Gary M. Levanduski

  
\_\_\_\_\_  
Michele Ann Levanduski

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

PHILIP REITZEL, a/k/a PHILIP  
REITZEL; MARGARET REITZEL a/k/a  
MARGARET REITZEL; ELIZABETH  
A. RIGGS; WILLIAM M. RIGGS;  
MARION E. WILLIAMS; DONALD B.  
RIGGS; JOHN CRAIG; WILLIAM E.  
RIGGS; CATHERINE CRAIG; GEORGE  
F. CRAIG; KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; DOROTHY ELIZABETH  
CRAIG; HENRY SHILLINGFORD  
CRAIG; and COMMONWEALTH TITLE  
INSURANCE & TRUST COMPANY, their  
successors, assigns, directors, officers,  
shareholders, and any of the foregoing's  
legal representatives, heirs and all other  
person, persons or corporation entities in  
interest, or their legal representatives,

Defendants.

NO. 08 - 1352 - C.D.

Type of Case:  
ACTION TO QUIET TITLE

Type of Pleading: MOTION FOR  
SERVICE OF COMPLAINT ON  
DEFENDANTS BY  
PUBLICATION

Filed on Behalf of: PLAINTIFFS

Counsel of Record:  
CHRISTOPHER E. MOHNEY, ESQUIRE

Supreme Court No.: 63494

25 EAST PARK AVENUE  
SUITE 6  
DUBOIS, PA 15801  
(814) 375-1044

**FILED**

0 1:30 p.m. GK  
JUL 23 2008 ICC ATTY

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – AT LAW

GARY M LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

PHILIP REITZEL a/k/a PHILIP REITZEL;;  
et. al.

Defendants.

NO. 08 - - C.D.

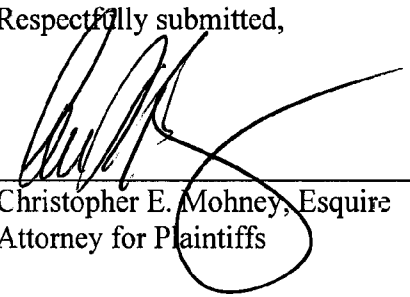
ACTION TO QUIET TITLE

**MOTION FOR SERVICE OF COMPLAINT ON CERTAIN  
DEFENDANTS BY PUBLICATION**

AND NOW, this 23<sup>rd</sup> day of July, 2008, an affidavit having been executed and filed by the Plaintiffs that the whereabouts of the Defendants are unknown, Plaintiffs, by their attorney, **CHRISTOPHER E. MOHNEY, ESQUIRE**, moves this Court for leave to serve the Complaint on the foregoing named Defendants, as named in the full caption on the cover page of this Motion, by publication in such a manner as the Court shall direct, as provided by the Pennsylvania Rules of Civil Procedure 410 and 430(b).

Respectfully submitted,

By:

  
\_\_\_\_\_  
Christopher E. Mohny, Esquire  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

PHILIP REITZEL, a/k/a PHILIP REITZELL;  
MARGARET REITZEL a/k/a  
MARGARET REITZELL; ELIZABETH  
A. RIGGS; WILLIAM M. RIGGS;  
MARION E. WILLIAMS; DONALD B.  
RIGGS; JOHN CRAIG; WILLIAM E.  
RIGGS; CATHERINE CRAIG; GEORGE  
F. CRAIG; KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; THOMAS JANNEY;  
DOROTHY ELIZABETH CRAIG; HENRY  
SHILLINGFORD CRAIG; and  
COMMONWEALTH TITLE INSURANCE  
& TRUST COMPANY, their successors,  
assigns, directors, officers, shareholders,  
and any of the foregoing's legal  
representatives, heirs and all other person,  
persons or corporation entities in interest,  
or their legal representatives,

Defendants.

NO. 08 - - C.D.

ACTION TO QUIET TITLE

**AFFIDAVIT**

STATE OF ~~INDIANA~~ *MICHIGAN*

COUNTY OF *Oakland*

SS.


*COMMONWEALTH OF PENNSYLVANIA* :

: SS

*COUNTY OF CLEARFIELD* :

WE, **GARY M. LEVANDUSKI, MICHELE ANN LEVANDUSKI and CHRISTOPHER E. MOHNEY**, being duly sworn according to law, depose and say that they are Plaintiffs in the above-captioned matter and that they, through their attorney, **CHRISTOPHER E. MOHNEY, ESQUIRE**, have been unable to discover the whereabouts and identity of any of the named Defendants, their successors, heirs and/or assigns, and that **CHRISTOPHER E. MOHNEY, ESQUIRE** has: caused the records in offices of the Register and Recorder of Clearfield and Philadelphia Counties, Pennsylvania to be examined to ascertain the date of death of any of the within named Defendants, whether he/she died testate or intestate, the names and addresses of all any of the within named Defendants' heirs, legatees, or devisees; searched public records as to whether or not there has been any adverse conveyance of the real estate that is subject to suit; and has made a good faith effort to locate the whereabouts of the aforementioned named Defendants by searching and/or causing to be searched voter registration records, local tax records, and has retained a private investigator to search public records in Philadelphia County as to the whereabouts of any of the Craig Defendants. **CHRISTOPHER E. MOHNEY, ESQUIRE** was unable to locate any information to find leads to attempt to contact friends, neighbors, relatives or employers of any of the named Defendants; the corporate-named Defendant did not appear on the Department of State (Corporation Bureau) website searchable database.

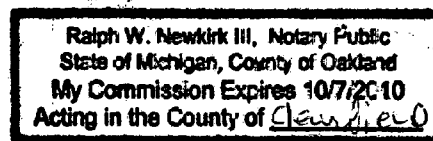


  
GARY M. LEVANDUSKI

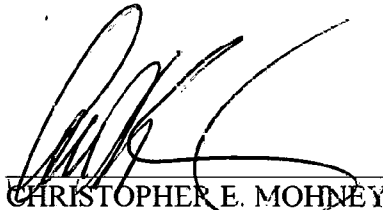
  
MICHELE ANN LEVANDUSKI

SWORN TO and SUBSCRIBED

before me this 16 day of  
JULY, 2008.




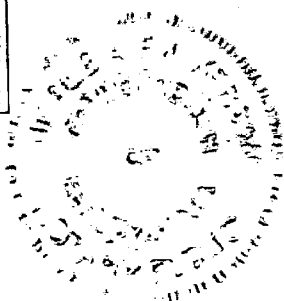
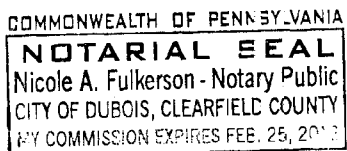
  
Notary Public

  
CHRISTOPHER E. MOHNEY

SWORN TO and SUBSCRIBED

before me this 22nd day of  
July, 2008.

  
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

NO. 08 -1352- C.D.

ACTION TO QUIET TITLE

PHILIP REITZEL a/k/a PHILIP REITZELL;  
MARGARET REITZEL a/k/a  
MARGARET REITZELL; ELIZABETH  
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KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; THOMAS JANNEY;  
DOROTHY ELIZABETH CRAIG; HENRY;  
SHILLINGFORD CRAIG; and  
COMMONWEALTH TITLE INSURANCE  
& TRUST COMPANY, their successors,  
assigns, directors, officers, shareholders,  
and any of the foregoing's legal  
representatives, heirs and all other person,  
persons or corporation entities in interest, or  
their legal representatives,

Defendants.

FILED

014:00061  
JUL 24 2008

William A. Shaw  
Prothonotary/Clerk of Courts

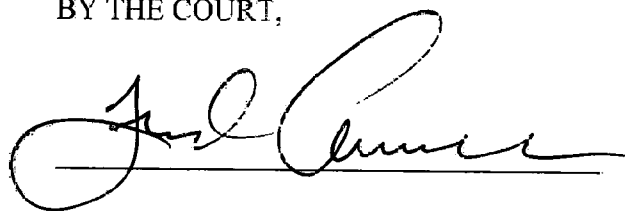
ICC Mohney  
(62)

ORDER

AND NOW, this 24 day of July, 2008, upon consideration of the  
foregoing Plaintiffs' Motion for Service of Complaint on Defendants by Publication, the  
Plaintiffs are granted leave to make service of the Complaint on the Defendants by publication

once in the Courier-Express, a newspaper of general circulation in Clearfield County, Pennsylvania, and once in the Clearfield County Legal Journal according to the attached Notice.

BY THE COURT,

A handwritten signature in cursive script, appearing to read "Judge James", is written over a horizontal line. The signature is fluid and stylized, with a large initial "J" and a long, sweeping tail.

**FILED**

**JUL 24 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI,

Plaintiffs,

vs.

PHILIP REITZEL a/k/a PHILIP  
REITZEL; MARGARET REITZEL  
a/k/a MARGARET REITZEL;  
ELIZABETH A. RIGGS; MARION E.  
WILLIAMS; DONALD B. RIGGS; JOHN  
CRAIG; WILLIAM E. RIGGS;  
CATHERINE CRAIG; GEORGE F. CRAIG;;  
KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; THOMAS JANNEY;  
DOROTHY ELIZABETH CRAIG; HENRY;  
SHILLINGFORD CRAIG; and  
COMMONWEALTH TITLE INSURANCE  
& TRUST COMPANY, their successors,  
assigns, directors, officers, shareholders,  
and any of the foregoing's legal  
representatives, heirs, and all other person,  
persons, or corporation entities in interest,  
or their legal representatives,

Defendants.

NO. 09 - \_\_\_\_\_ - C.D.

ACTION TO QUIET TITLE

**ACTION TO QUIET TITLE NO. 08 - \_\_\_\_\_ - C.D.**

TO: PHILIP REITZEL a/k/a PHILIP REITZEL; MARGARET REITZEL a/k/a  
MARGARET REITZEL; ELIZABETH A. RIGGS; WILLIAM M. RIGGS; MARION  
E. WILLIAMS; DONALD B. RIGGS; JOHN CRAIG; WILLIAM E. RIGGS;  
CATHERINE CRAIG; GEORGE F. CRAIG; KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR C. JANNEY; THOMAS JANNEY;  
DOROTHY ELIZABETH CRAIG; HENRY SHILLINGFORD CRAIG; and  
COMMONWEALTH TITLE INSURANCE & TRUST COMPANY, their successors,

assigns, directors, officers, shareholders, and any of the foregoing's legal representatives, heirs and all other person, persons, or corporation entities in interest, or their legal representatives

You are hereby notified that an action to quiet title to premises situate in the Huston Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

ALL that certain piece or parcel of land situate, lying and being in Huston Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn, said point being the northwest corner of the herein described parcel now owned by Gary M. Levanduski and Michele Ann Levanduski (Instrument Number 200419026, dated October 23, 2004; thence N 85° - 00'E 160.00' to a point on the westerly boundary of Spruce Street (50' right-of-way); thence south 05°-00'E 100' along Spruce Street to a point that is the southwestern corner of the herein described parcel, also being the northeast corner of lands marked "area of indeterminable ownership" on survey map prepared by Thomas M. Gorzalkowski, PLS dated March 27, 2007; thence S85°-00'W 160' along the "area of indeterminable ownership" to point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn; thence N05°-00'W 150.00' to the place of beginning.

BEING 2 LOTS (Identified as Clearfield County Assessment Map #119-G3-29.) and the above legal description being prepared pursuant to a survey prepared for Gary M. Levanduski, et. al. by Thomas M. Gorzalkowski, PLS on March 27, 2007.

You have been sued in court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiffs in this action, after diligent search, have been unable to locate the Defendants.

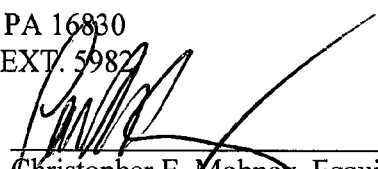
Whereupon, the Court ordered that Notice of said action be served on the Defendants by advertisement requiring Defendants' above-named and their successors, assigns, directors, officers, shareholders, and any of the foregoing's legal representatives, heirs and all other person, persons or corporation entities in interest, or their legal representatives to answer the Complaint within twenty (20) days from the date of this publication.

**NOTICE**

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND 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.

DANIEL J. NELSON, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641, EXT. 5982



\_\_\_\_\_  
Christopher E. Mohnhey, Esquire  
25 East Park Avenue, Suite 6  
DuBois, PA 15801  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

PHILIP REITZEL, a/k/a PHILIP  
REITZEL; MARGARET REITZEL a/k/a  
MARGARET REITZEL; ELIZABETH  
A. RIGGS; WILLIAM M. RIGGS;  
MARION E. WILLIAMS; DONALD B.  
RIGGS; JOHN CRAIG; WILLIAM E.  
RIGGS; CATHERINE CRAIG; GEORGE  
F. CRAIG; KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; DOROTHY ELIZABETH  
CRAIG; HENRY SHILLINGFORD  
CRAIG; and COMMONWEALTH TITLE  
INSURANCE & TRUST COMPANY, their  
successors, assigns, directors, officers,  
shareholders, and any of the foregoing's  
legal representatives, heirs and all other  
person, persons or corporation entities in  
interest, or their legal representatives,

Defendants.

NO. 08 - 1352 - C.D.

Type of Case:  
ACTION TO QUIET TITLE

Type of Pleading: MOTION FOR  
DEFAULT JUDGMENT

Filed on Behalf of: PLAINTIFFS

Counsel of Record:  
CHRISTOPHER E. MOHNEY, ESQUIRE

Supreme Court No.: 63494

25 EAST PARK AVENUE  
SUITE 6  
DUBOIS, PA 15801  
(814) 375-1044

FILED  
M/O:11/60  
SEP 08 2008  
cc  
Chy Mohney  
(60)

William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – AT LAW

GARY M. LEVANDUSKI and	:	NO. 08 - 1352 - C.D.
MICHELE ANN LEVANDUSKI	:	
	:	
Plaintiffs,	:	ACTION TO QUIET TITLE
	:	
vs.	:	
	:	
PHILIP REITZEL a/k/a PHILIP REITZEL:	:	
et. al.	:	
	:	
Defendants.	:	

**MOTION FOR DEFAULT JUDGMENT**

AND NOW, come the Plaintiffs, GARY M. LEVANDUSKI and MICHELE ANN LEVANDUSKI, husband and wife, by and through their attorney, CHRISTOPHER E. MOHNEY, ESQUIRE, and files this Motion for Default Judgment in the above-caption action and in support thereof avers:

1. This is an action to quiet title in which Plaintiffs GARY M. LEVANDUSKI and MICHELE ANN LEVANDUSKI, husband and wife, request that Defendants, their successors, assigns, directors, officers, shareholders, and any of their legal representatives, heirs, and all other person, persons, or corporation entities in interest, or their legal representatives be forever barred from asserting any right, title, liens or interests in or impeaching, levying or in any way attack the Plaintiff's title to the land described in Plaintiffs' Complaint filed of record.

2. That by Order of this Court dated July 24, 2008, the Plaintiffs were given leave to serve the Complaint filed in the above-captioned quiet title action by publication once in the

Courier-Express, a newspaper of general circulation in Clearfield County, Pennsylvania, and once in the Clearfield County Legal Journal.

3. Service of the Complaint by publication was made in the Courier-Express on July 30, 2008, and in the Clearfield County Legal Journal on the week of August 8, 2008, Volume 20, No. 32. Respective proofs of publication are attached hereto, marked Exhibit "A".

4. That more than twenty (20) days since last service of the Complaint have passed and no appearance, nor answer to the Complaint, has been filed by any named Defendant.

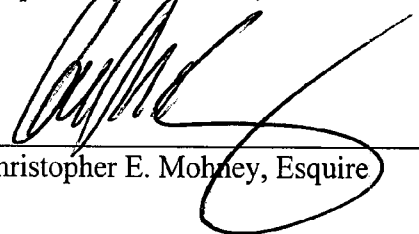
5. Attached hereto and marked Exhibit "B" is an Affidavit stating that a Complaint was served by publication once in the Courier-Express and once in the Clearfield County Legal Journal and more than twenty (20) days have elapsed since service and that Defendants, or anyone claiming under Defendants, have not entered an appearance or filed an answer to the Complaint.

6. Pennsylvania Rule of Civil Procedure 1066(a) allows this Honorable Court to grant appropriate relief upon Affidavit that a Complaint containing notice to the Defendants has been served and Defendants have not filed an answer.

WHEREFORE, your Honorable Court is respectfully requested to enter an Order for judgment for the Plaintiffs as prescribed by Pennsylvania Rule of Civil Procedure 1056.

Respectfully submitted,

By:

  
Christopher E. Mohnhey, Esquire

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE  
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

**NOT ISSUED BY McLEAN PUBLISHING COMPANY,**

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW  
NO. 08-1352 C.D.  
ACTION TO QUIET TITLE

**DISTRICT OF**

**approved May 16, 1929, P.L. 1784**

GARY M. LEVANDUSKI and MICHELE ANN LEVANDUSKI,  
Plaintiffs,

**SS:**

vs.

PHILIP REITZEL a/k/a PHILIP REITZEL; MARGARET REITZEL  
a/k/a MARGARET REITZEL; ELIZABETH A. RIGGS; MARION E.  
WILLIAMS; DONALD B. RIGGS; JOHN CRAIG; WILLIAM E.  
RIGGS; CATHERINE CRAIG; GEORGE F. CRAIG; KATHERINE  
C. MUNRO a/k/a KATHERINE CRAIG MUNRO; ELINOR C. JAN-  
NEY; THOMAS JANNEY; DOROTHY ELIZABETH CRAIG; HENRY  
SHILLINGFORD CRAIG; and COMMONWEALTH TITLE INSUR-  
ANCE & TRUST COMPANY, their successors, assigns, directors,  
officers, shareholders, and any of the foregoing's legal representa-  
tives, heirs, and all other person, persons, or corporation entities in  
interest, or their legal representatives,

Defendants.

**ACTION TO QUIET TITLE NO. 08-1352 C.D.**

TO: PHILIP REITZEL a/k/a PHILIP REITZEL; MARGARET REIT-  
ZEL a/k/a MARGARET REITZEL; ELIZABETH A. RIGGS; WIL-  
LIAM M. RIGGS; MARION E. WILLIAMS; DONALD B. RIGGS;  
JOHN CRAIG; WILLIAM E. RIGGS; CATHERINE CRAIG;  
GEORGE F. CRAIG; KATHERINE C. MUNRO a/k/a KATHERINE  
CRAIG MUNRO; ELINOR C. JANNEY; THOMAS JANNEY; DORO-

Classified Advertising Supervisor of the **Courier-Express/Tri-**  
**County** and **State** aforesaid, being duly sworn, deposes and says that the  
**County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a  
Publishing Company at 500 Jeffers Street, City of DuBois, County and State  
of Pennsylvania, since which date said, the daily publication and the weekly  
**County**, and that a copy of the printed notice of publication is attached  
to the regular editions of the paper on the following dates, viz: the

July A.D., 2008

Authorized by the **Courier-Express**, a daily newspaper, **Tri-County**  
**an Democrat**, a weekly newspaper to verify the foregoing statement  
interested in the subject matter of the aforesaid notice of publication, and  
to time, place and character of publication are true.

**PUBLISHING COMPANY Publisher of**  
**OUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

*[Signature]*

Sworn and subscribed to before me this 18<sup>th</sup> day of Aug., 2008

*[Signature]*  
NOTARY PUBLIC

Statement of Advertising Cost  
**McLEAN PUBLISHING COMPANY**  
Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/  
JEFFERSONIAN DEMOCRAT**

DuBois, PA

**THIS IS  
NOT A  
BILL**

NOTARIAL SEAL  
ROBIN M. DUTTRY, NOTARY PUBLIC  
CITY OF DUBOIS, CLEARFIELD COUNTY  
MY COMMISSION EXPIRES APRIL 16, 2010

TO Christopher E. Mohney

For publishing the notice or advertisement attached hereto on the above stated dates.....	<u>\$452.03</u>
Probating same.....	<u>\$7.50</u>
Total.....	<u>\$459.53</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

*Exhibit A*

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

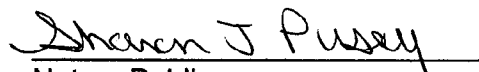
:

COUNTY OF CLEARFIELD :

On this 8th day of August 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 August 8, 2008, Vol. 20, No. 32. 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.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires

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

Christopher E. Mohny  
25 East Park Ave Suite 6  
DuBois PA 15801

East Park Avenue, Suite 6, DuBois, PA 15801, Attorney for Plaintiff, (814) 765-2641, EXT/5982.

**NOTICE OF ACTION IN EJECMENT  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PA  
CIVIL ACTION-LAW**

**COURT OF COMMON PLEAS  
CIVIL DIVISION  
CLEARFIELD COUNTY  
No. 08-742-CD**

Deutsche Bank National Trust Company, as Trustee for The Certificate Holders of Soundview Home Loan Trust 2006-0PT2 Asset Backed Certificates Series 2006-0PT2 V. Janet Held or occupants

**NOTICE**

TO: Janet Held or occupants:

You are hereby notified that on April 23, 2008, Plaintiff Deutsche Bank National Trust Company, as Trustee for The Certificate Holders of Soundview Home Loan Trust 2006-0PT2 Asset Backed Certificates, Series 2006-0PT2 filed an Election Complaint endorsed with Notice to Demand, against you in the Court of Common Pleas of Clearfield County, Pennsylvania, docketed on 08-742-CD. Wherein Plaintiff seeks to Evict all occupants at the property 414 West DuBois Avenue, DuBois, PA 15801 whereupon your property was sold by the Sheriff of Clearfield County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or Judgment will be entered against you.

This firm is a debt collector attempting to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

**NOTICE**

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 (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 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. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Clearfield County, Daniel J. Nelson, Court Administrator, Clearfield County Courthouse, Clearfield, PA 16830, 814-765-2641 ext 5982.  
Full Spectrum Services, 400 Fellowship Road, Suite 220, Mount Laurel, NJ 08054.

**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, September 5, 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 piece or parcel of land situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the North bank of Kratzer Run where said bank intersects the East line of a tract belonging to the Harbison-Walker Refractories

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

Personally appeared before me, CHRISTOPHER E. MOHNEY, ESQUIRE, who being

duly sworn according to law, deposes and says that the complaint filed in the above-captioned

NTY, PENNSYLVANIA

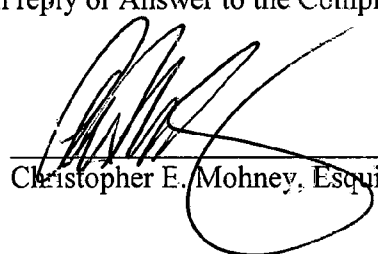
C.D.

JET TITLE


of Spruce Street (50' right-of-way), thence south 05°-00'E 100' along Spruce Street to a point that is the southwestern corner of the herein described parcel, also being the northeast corner of lands marked "area of indeterminate ownership" on survey map of the Thomas-M-Gazdowski, PLS.

action was served by publication once in the Courier-Express and once in the Clearfield County Legal Journal pursuant to Order of Court and that more than twenty (20) days have elapsed since publication and that none of the above-named named Defendants, or anyone acting on their behalf, have entered an appearance or filed a written reply or Answer to the Complaint.

By:

  
Christopher E. Mohnhey, Esquire

Sworn to and Subscribed before me  
this 4<sup>th</sup> day of September, 2008.

  
Notary Public

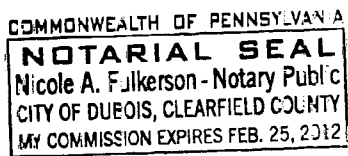


EXHIBIT "B"

**FILED**

**SEP 08 2008**

William A. Shaw  
Prothonotary/Clerk of Courts





CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

NO. 08 - 1352 - C.D.

Plaintiffs,

ACTION TO QUIET TITLE

vs.

PHILIP REITZEL a/k/a PHILIP REITZELL;  
MARGARET REITZEL a/k/a  
MARGARET REITZELL; ELIZABETH  
A. RIGGS; MARION E. WILLIAMS;  
DONALD B. RIGGS; JOHN CRAIG;  
WILLIAM E. RIGGS; CATHERINE  
CRAIG; GEORGE F. CRAIG;  
KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; THOMAS JANNEY;  
DOROTHY ELIZABETH CRAIG; HENRY;  
SHILLINGFORD CRAIG; and  
COMMONWEALTH TITLE INSURANCE  
& TRUST COMPANY, their successors,  
assigns, directors, officers, shareholders,  
and any of the foregoing's legal  
representatives, heirs and all other person,  
persons or corporation entities in interest, or  
their legal representatives,

Defendants.

FILED  
014:0030  
SEP 09 2008

William A. Shaw  
Prothonotary/Clerk of Courts

2008  
Cathy Mohney

ORDER

AND NOW, this 9<sup>th</sup> day of September, 2008, it appearing on Motion of  
CHRISTOPHER E. MOHNEY, ESQUIRE, attorney for Plaintiffs that service of Complaint in  
the above-captioned quiet title action as per Order of Court was served on the Defendant once in

the Courier-Express, a newspaper of general circulation in Clearfield County, Pennsylvania, and once in the Clearfield County Legal Journal, and that the identity and whereabouts of the Defendants, his heirs, administrators, executors, and/or assigns are unknown, it appearing that no answer has been filed nor any appearance entered by the named Defendants, nor their duly authorized representatives for more than twenty (20) days since the dates of publication it is hereby ordered:

1. That PHILIP REITZEL a/k/a PHILIP REITZELL, MARGARET REITZEL a/k/a MARGARET REITZELL, ELIZABETH A. RIGGS, MARION E. WILLIAMS, DONALD B. RIGGS, JOHN CRAIG, WILLIAM E. RIGGS, CATHERINE CRAIG, GEORGE F. CRAIG, KATHERINE C. MUNRO a/k/a KATHERINE CRAIG MUNRO, ELINOR C. JANNEY, THOMAS JANNEY, DOROTHY ELIZABETH CRAIG, HENRY SHILLINGFORD CRAIG, and COMMONWEALTH TITLE INSURANCE & TRUST COMPANY, their successors, assigns, directors, officers, shareholders, and any of the foregoing's legal representatives, heirs, and all other person, persons, or corporation entities in interest, or their legal representatives are forever barred from asserting any right, title, lien or interest in consistent with the interests of claim of the Plaintiffs as set forth in their Complaint in and to the following parcel of land located in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain piece or parcel of land situate, lying and being in Huston Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn, said point being the northwest corner of the herein described parcel now owned by Gary M. Levanduski and Michele Ann Levanduski (Instrument Number

200419026, dated October 23, 2004; thence N 85° - 00'E 160.00' to a point on the westerly boundary of Spruce Street (50' right-of-way); thence south 05°-00'E 100' along Spruce Street to a point that is the southwestern corner of the herein described parcel, also being the northeast corner of lands marked "area of indeterminable ownership" on survey map prepared by Thomas M. Gorzalkowski, PLS dated March 27, 2007; thence S85°-00'W 160' along the "area of indeterminable ownership" to point on the eastern boundary of a 50' right-of-way for Main Street in the Village of Winterburn; thence N05°-00'W 100.00' to the place of beginning.

BEING 2 LOTS (Identified as Clearfield County Assessment Map #119-G3-29.) and the above legal description being prepared pursuant to a survey prepared for Gary M. Levanduski, et. al. by Thomas M. Gorzalkowski, PLS on March 27, 2007.

2. That if said Defendant above-named shall not have filed said exceptions within thirty (30) days, the Prothonotary, upon Praecept of the Plaintiffs, shall enter final judgment for the Plaintiffs and against the named Defendants. This Order shall final and absolute unless the aforesaid Defendant shall file exceptions to this Order within thirty (30) days of the date hereof.

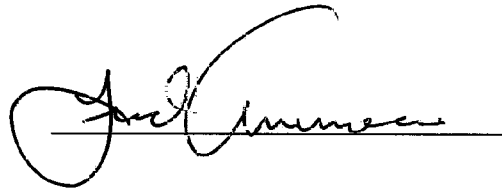
3. That the right of the Plaintiffs in the premises is at all times superior to the rights of the named Defendants and that Plaintiffs' title is in fee simple to the premises described in the Complaint against the Defendants.

4. That the Defendants or any person claiming under him shall be forever enjoined from setting up any title to the premises of the Plaintiffs described in the Complaint and from impeaching, denying or in any way attacking the title to the title to the Plaintiffs to the premises.

5. That these proceedings, or any authenticated copy thereof, shall at all times be hereinafter taken as evidence of the facts declared and established thereby.

6. That a copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Jack K. ...", is written over a horizontal line. The signature is fluid and stylized, with a large initial "J" and "K".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

PHILIP REITZEL, a/k/a PHILIP  
REITZEL; MARGARET REITZEL a/k/a  
MARGARET REITZEL; ELIZABETH  
A. RIGGS; WILLIAM M. RIGGS;  
MARION E. WILLIAMS; DONALD B.  
RIGGS; JOHN CRAIG; WILLIAM E.  
RIGGS; CATHERINE CRAIG; GEORGE  
F. CRAIG; KATHERINE C. MUNRO a/k/a  
KATHERINE CRAIG MUNRO; ELINOR  
C. JANNEY; DOROTHY ELIZABETH  
CRAIG; HENRY SHILLINGFORD  
CRAIG; and COMMONWEALTH TITLE  
INSURANCE & TRUST COMPANY, their  
successors, assigns, directors, officers,  
shareholders, and any of the foregoing's  
legal representatives, heirs and all other  
person, persons or corporation entities in  
interest, or their legal representatives,

Defendants.

NO. 08 - 1352 - C.D.

Type of Case:

ACTION TO QUIET TITLE

Type of Pleading: PRAECIPE FOR FINAL  
JUDGMENT

Filed on Behalf of: PLAINTIFFS

Counsel of Record:

CHRISTOPHER E. MOHNEY, ESQUIRE

Supreme Court No.: 63494

25 EAST PARK AVENUE  
SUITE 6  
DUBOIS, PA 15801  
(814) 375-1044

<sup>5</sup>FILED

OCT 10 2008

01/31/08  
William A. Shaw  
Prothonotary/Clerk of Courts  
610

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW

GARY M. LEVANDUSKI and  
MICHELE ANN LEVANDUSKI

Plaintiffs,

vs.

PHILIP REITZEL a/k/a PHILIP REITZELL:  
et. al.

Defendants.

: NO. 08 - 1352 - C.D.

: ACTION TO QUIET TITLE

**PRAECIPE FOR FINAL JUDGMENT FOR FAILURE**  
**TO FILE EXCEPTIONS WITHIN THIRTY (30) DAYS OF COURT ORDER**

TO: WILLIAM A SHAW, SR. PROTHONOTARY

Please enter judgment in favor of the Plaintiffs and against the Defendants herein as per Order of Court dated the 9<sup>th</sup> day of September, 2008, in the above quiet title action, the Defendants having failed to file exceptions to the said Order within thirty (30) days of the date of said Order.

Respectfully submitted,

By:

  
Christopher E. Mohny, Esquire

**FILED**  
**OCT 10 2003**  
William A. Shaw  
Prothonotary/Clerk of Courts