

08-2070-CD  
Diane L. Thomas vs Tax Claim Bureau

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

S FILED 15

DIANE L. THOMAS,  
PETITIONER,

v.

CLEARFIELD COUNTY TAX CLAIM BUREAU,  
AND J. LOIS REIGHARD;

RESPONDENTS.

: No. 08-2070 -CD

OCT 29 2008  
011:50/ur  
William A. Shaw  
Prothonotary/Clerk of Courts  
5 cent TV ATT

Type of Pleading:

: PETITIONER'S OBJECTIONS  
TO TAX SALE

Filed By:

: Diane L. Thomas, Petitioner

: Counsel of Record:

: Theron G. Noble, Esquire  
Ferraraccio & Noble  
: 301 East Pine Street  
: Clearfield, PA 16830  
: (814)-375-2221  
: PA I.D.#: 55942

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

DIANE L. THOMAS, )  
PETITIONER, )  
No. 08-\_\_\_\_\_ -CD  
v. )  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

**NOTICE TO DEFEND**

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY CLAIM IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF(S). 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 AN ATTORNEY, OR CANNOT FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Court Administrator  
c/o Clearfield County Courthouse  
2nd and Market Streets  
Clearfield, PA 16830  
(814)-765-2641

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

DIANE L. THOMAS, )  
PETITIONER, )  
v. ) No. 08-\_\_\_\_\_ -CD  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

**PETITIONER'S OBJECTIONS TO TAX SALE**

AND now, comes the Petitioner, Diane L. Thomas, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who aver as follows in support of PETITIONER'S OBJECTION TO TAX SALE:

1. That petitioner is Diane L. Thomas, who does, and at all material times, unless otherwise noted, resides at 138 Whitetail Lane, Philipsburg, Centre County, Pennsylvania.
2. That first respondent is Clearfield County Tax Claim Bureau, whose official address is 230 E. Market Street, Clearfield, Clearfield County, Pennsylvania 16830, and which is charged with administration of tax collections pursuant to Pennsylvania law for Clearfield County.
3. That second respondent is J. Louis Reighard, upon information and belief, is an individual whose highest bid was accepted at a tax sale, subject matter of this Petition, to be more fully discussed, and whose address is believed to be 1493 Hampton Rd., Akron, Summit County, Ohio 44305. See Exhibit "A".

Background

4. This petition concerns a property identified as Tax Map No. F10-000-037.1, being further identified as Control No. 125044466, consisting of unseated, 2.5 acres of land in Penn Township, Clearfield County, Pennsylvania.
5. That Petitioner received an ownership interest, along with her brother, Daniel F. Thomas, who owned the same as tenants in common, through distribution of her mother's (Jeanine Thomas), estate in 2003. See Exhibit "B".
6. That by arrangements of Petitioner, and her brother, Petitioner was the party responsible for their various joint real estate interests, including payment of real estate taxes.
7. That at the time Petitioner received said property, and other properties from her mother's estate, some owned jointly with her brother, others owned individually, she resided at 337 Paylor Hills Road, Centre Hall, Centre County, Pennsylvania, but knew that her address was to change in the not to distant future such that it was best to use her brother's address for receipt of future tax notices and did so list her brother's address (312 Walnut Street, Curwensville, PA 16833) for such notices. See Exhibit "B".
8. That approximately two years ago, Petitioner notified the Clearfield County Tax Claim Bureau, first respondent, that she had a new address and requested that tax notices be sent to said address.
9. That apparently Petitioner's address was corrected for some of her real estate interests, speculated to be those in which she alone has interest, and did not so change for others, speculated to be those in which she has a joint interest, upon such request.
10. In any event, first respondent sent all required notices to Petitioner at her brother's

aforementioned address.

11. The notices required to be sent by certified mail, which were addressed to Daniel F. Thomas were accepted by him, however, those notices sent by certified mail addressed to Petitioner at such address were unclaimed by her as that was not her address, nor did she reside or frequent such address on a routine basis. See Exhibit "C".

12. In any event, when Petitioner was made aware of the delinquent tax situation on this and other properties, Petitioner contacted first respondent to make arrangements for the delinquent taxes and an agreement was so made. See Exhibit "D".

13. That first respondent utilized Petitioner's correct address for said agreement, sending her a copy of the same at her correct address, dated August 28, 2008. See Exhibit "D".

14. For some reason, despite Petitioner's belief this agreement encompassed all outstanding tax obligations, apparently the premises subject of this petition was not included in this agreement, nor was Petitioner aware that this property was not included.

15. However, despite that first respondent was again made aware of Petitioner's correct address (as it had been made aware earlier as per averment 8), first respondent continued to utilize her brother's address for any and all subsequent required notices regarding this matter.

16. That because the subject premises is "landlocked", first respondent also was not able to post the property for tax sale.

**COUNT I: Lack of Notice**

17. That the averments of paragraphs 1 - 17, inclusive are hereby incorporated as if again fully set forth at length.

18. That §602 of the Real Estate Tax Sale Act (72 Pa.C.S.A. §5860.602) requires that

such notices be sent to all joint tenants, at their last known address. Teslovich, et.al. v. Shroyer, et.al., 406 A.2d 1374 (1979).

19. That first respondent failed to give notice of this pending and then actual tax sale to Petitioner because it did not send the required notices to her current and last known address, information of which was previously given to first respondent as per averment 8 a few years ago and then so recently again provided per averments 12, 13 and Exhibit "D", per the Real Estate Tax Sale Act.

20. Pennsylvania law also requires that three types of notice must be utilized which include: (i) publication; (ii) certified mailing (at last known address); and (iii) posting. See Sale Property of Malchom, 503 A.2d 1051 (1986); and Return of Tax Sale by Indiana County Tax Claim Bureau v. Clawson, 395 A.2d 703 (1979).

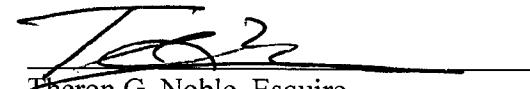
21. That first respondent did not post the property subject of this petition as required by Pennsylvania law.

22. That failure to give notice by all three means as required by Malchom is a fatal defect.

23. In this situation, first respondent failed to utilize Petitioner's last known address for the mailings required and attempted to be sent her, and failed to post the property, either of which requires the subsequent tax sale to be upset.

**WHEREFORE, Petitioner respectfully requests that the tax sale recently held concerning the 2.5 acres property, located in Penn Township, Clearfield County, Pennsylvania, identified as F10-000-37.1, be set aside and upset.**

Respectfully Submitted,



Theron G. Noble, Esquire  
Attorney for Petitioners  
Ferraraccio & Noble  
301 East Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D. #: 55942

Allegheny County Tax Claim Bureau Offers the following Property for Tax Sale:

Page 179 of 479

Name As Assessed

THOMAS, DIANE L &  
DANIEL F THOMAS  
312 WALNUT ST  
CURWENSVILLE PA 16833

PENN TOWNSHIP

Claim Number 2006-007580

Control Number 125044466

Map Number F10-000-037.1

Property Description

2.53 A SURF

✓ 06-7580  
✓ 07-7804

#4

Deed Book/Page 200322 57

Total Upset Price / Minimum Bid:

\$344.17

Purchaser

*J. Lee Reighard*

Bid Amount:

\$750

1493 Hampton Rd

% Transfer Tax:

Akron OH 44305

Deed Transfer:

Deed Information:

Name(s):

*Richard Reighard*

*Robert Reighard*

Mailing Address:

1493 Hampton Rd.

Akron, OH 44305

Assessed Value 250

Common Level Ratio 5.68

Equal Market Value 1420.00

Exhibit "A"

000

Current Year Taxes:	County	District	School	Total
	5.25	1.63	17.04	23.92
			0.00	
			0.00	
			0.00	

*Bill - 750.00*

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# CLEARFIELD COUNTY RECORDER OF DEEDS

**Karen L. Starck, Recorder**  
**Maurene Inlow - Chief Deputy**  
**P.O. Box 361**  
**1 North Second Street, Suite 103**  
**Clearfield, Pennsylvania 16830**

**AFFIDAVIT No. 37092**

**\*RETURN DOCUMENT TO:**

Instrument Number - 200322183  
Recorded On 12/8/2003 At 1:52:34 PM

FERRARACCIO & NOBLE  
301 E. PINE STREET  
CLEARFIELD, PA 16830

\*Instrument Type - DEED

\*Total Pages - 6

Invoice Number - 102484

\*Grantor - THOMAS, DONALD J

\*Grantee - THOMAS, DIANE L

\*Customer - FERRARACCIO & NOBLE

**\*FEES**

RECORDING FEES -	\$15.50
RECODER	
COUNTY IMPROVEMENT FUND	\$2.00
RECODER IMPROVEMENT	\$3.00
FUND	
JCS/ACCESS TO JUSTICE	\$10.00
STATE WRIT TAX	\$0.50
TOTAL	\$31.00

Exhibit "B" *(Copies)* -

I hereby CERTIFY that this document  
is recorded in the Recorder's Office of  
Clearfield County, Pennsylvania.



*Karen L. Starck*

**Karen L. Starck**  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

## **Do Not Detach**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

# **D E E D**

**THIS INDENTURE**, Made the 15<sup>th</sup> day of January, in the year of our Lord, Two Thousand Three (2003),

**BETWEEN, DONALD J. THOMAS and DEBRA A. THOMAS, Co-Administrators, dbncta, of the JEANINE THOMAS ESTATE, deceased, Grantors of the first part,**

**AND**

**DIANE L. THOMAS** of 337 Paylor Hills Road, Centre Hall, Centre County, Pennsylvania, and **DANIEL F. THOMAS** of 312 Walnut Street, Curwensville, Clearfield County, Pennsylvania, each to an undivided 1/2 interest, as tenants in common and not as joint tenants with the right of survivorship, Grantees, Parties of the second part,

**WHEREAS**, the said JEANINE THOMAS, during her lifetime, became the owner of parcels situated in **Penn Township**, Clearfield County, Pennsylvania; and

**WHEREAS**, the said JEANINE THOMAS, died Testate on April 6, 1999, leaving a Will dated April 19, 1972, which was duly probated and recorded in the Office of the Register of Wills for the County of Clearfield, Pennsylvania, in Estate File #99-295; and

**WHEREAS**, the said Will in Paragraph 9th authorizes and empowers the Co-Administrators named in the Will to sell and dispose of the Real Estate without Court approval or consent of the beneficiaries under the Will and on such terms as the Co-Administrators may deem proper; and to make, execute, and deliver to the purchaser good and sufficient deeds of conveyance; and

**WHEREAS**, Letters of Administration, dbncta, in the said Estate were granted by the Register of Wills of Clearfield County, Pennsylvania, to **DONALD J. THOMAS and DEBRA A. THOMAS**, on June 2, 1999.

**NOW, THEREFORE, THIS INDENTURE WITNESSETH**, that the said Grantor, for

and in consideration of the sum of One and 00/100 (\$1.00) Dollar and good and other valuable considertion, paid to DONALD J. THOMAS and DEBRA A. THOMAS, as Co-Administrators, as aforesaid, has granted and conveyed, and by these presents does grant and convey unto the said Grantees, their heirs and assigns, as tenants by the entireties, by force and virtue of the provisions of Section 3351 of the Probate, Estates and Fiduciary Code of Pennsylvania,

**THE FIRST THEREOF:**

ALL that certain part or parcels of land situate in Penn Township, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at a point being the southeast corner of the premises of which this parcel is a part, said point being a common corner of lands now or formerly of James Conrad, et al, Clement Keiser, et al, Thomas Kelce, et al and Jeanine Thomas; thence North along line of lands now or formerly of James Conrad, et al, Four Hundred (400) feet more or less to a point; thence through other lands of Jeanine Thomas of which this parcel is a part in a southwesterly direction Five Hundred Fifty (550) feet more or less to a point on the Northern line of lands now or formerly of Thomas Kelce, et al; thence along the line of lands now or formerly of Thomas Kelce, et al in an Easterly direction Four Hundred (400) feet more or less to a point and place of beginning. Being a triangular parcel of land containing approximately 1.83 acres.

BEING the same premises conveyed to Jeanine Thomas from Deed of Clement L. Keiser and Betty Ann Keiser, said Deed dated December 25, 1985 and recorded in Volume 1339, page 447.

BEING identified as Map #: 125-F10-37.1

**THE SECOND THEREOF:**

ALL that certain part or parcels of land situate in Penn Township, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at a stone at the Southwest corner hereof; running thence by land of the Nelson Walker Estate, Easterly one hundred sixty (160) perches to a hemlock, corner of Brown Place, now E. A. Irvin Estate; thence by land of John Guiher North one hundred six (106) perches to a post at land now or formerly of Lewis Woods; thence by said land West once hundred sixty (160) perches to a post at land now or formerly of Isaac Woods; thence by said land South one hundred six (106) perches to the point or place of beginning. Containing one hundred and six (106) acres, more or less

EXCEPTING and RESERVING the same exceptions relating to the minerals as were reserved in prior deeds.

BEING the second thereof in deed from County National Bank, Testamentary Guardian

under the Last Will and Testament of Jefferson Thomas for Dianne Thomas, Debra Thomas, Donald Thomas, Doreen Thomas and Daniel Thomas, said Deed dated October 15, 1969 and recorded October 17, 1969 in Record Book 554, page 606.

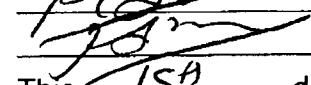
**BEING** identified in the Clearfield County Mapping and Assessment Office as Map No. 125-F10-37

NOTICE - THIS DOCUMENT MAY NOT (DOES NOT) SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE (HAVE) THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth in the manner provided in Section 1 of the Act of July, 1957, P.L. 984, as amended).

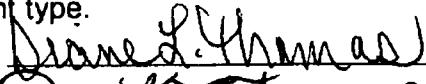
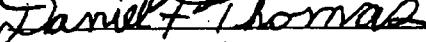
## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

This 15<sup>th</sup> day of October, 2003

THIS IS A TRANSFER FROM MOTHER TO CHILDREN, THEREFORE NO TRANSFER TAX IS DUE

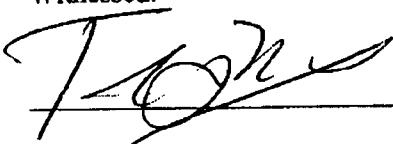
**TOGETHER** with all and singular the tenements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; AND ALSO all the estate, right, title, interest, property, claim and demand whatsoever, both in law and equity, of the said parties of the first part, of, in, to or out of the said premises, and every part and parcel thereof.

**TO HAVE AND TO HOLD** the said premises, with all and singular the appurtenances, unto the said parties of the second part, their heirs and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs and assigns forever.

**AND**, DONALD J. THOMAS and DEBRA A. THOMAS, Co-Administrators, dbncta does covenant, promise, grant and agree to and with the said Grantees, their heirs and assigns, as tenants by the entireties, by these presents, that they, DONALD J. THOMAS and DEBRA A. THOMAS, Co-Administrators, have not heretofore done, committed, or willingly or unwillingly suffered to be done or committed, an act, matter of thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall or may be impeached, charged or encumbered, in title, charge, estate, or otherwise howsoever.

**IN WITNESS WHEREOF**, the Grantors have hereunto set their hand and seal the day and year first above written.

Witnessed:

  
(SEAL)

Donald J. Thomas, Co-Administrator  
of the Jeanine Thomas Estate

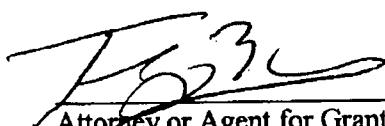
  
(SEAL)

Debra A. Thomas, Co-Administrator  
of the Jeanine Thomas Estate

#### CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the Grantees herein is as follows:

312 Walnut St.  
Curwensville, PA 16833

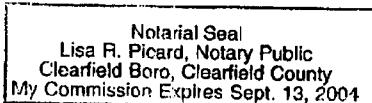
  
\_\_\_\_\_  
Attorney or Agent for Grantee

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Clearfield

:  
: SS.  
:

On this, the 5<sup>th</sup> day of November, 2003, before me, the undersigned officer, personally appeared, Donald J. Thomas, Co-Administrator of the Jeanine Thomas Estate, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he has executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



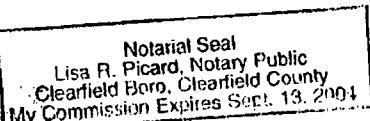
Lisa R. Picard  
Notary

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Clearfield

:  
: SS.  
:

On this, the 5<sup>th</sup> day of November, 2003, before me, the undersigned officer, personally appeared, Debra A. Thomas, Co-Administrator of the Jeanine Thomas Estate, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she has executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Lisa R. Picard  
Notary



# Clearfield County Tax Claim Bureau - NOTICE OF PUBLIC TAX SALE

Date: May 12, 2008

3387



Claim # 2006-007580

Control # 125044466

Map# F10-000-037.1

Property Description

2.53 A SURF

Owner Or Reputed Owner  
THOMAS, DANIEL F  
312 WALNUT ST  
CURWENSVILLE PA 16833

Delinquent 2006 Real Estate Tax

**File Copy**

## WARNING

YOUR PROPERTY IS ABOUT TO BE SOLD WITHOUT YOUR CONSENT FOR DELINQUENT TAXES. YOUR PROPERTY MAY BE SOLD FOR A SMALL FRACTION OF IT'S FAIR MARKET VALUE. IF YOU HAVE ANY QUESTIONS AS TO WHAT YOU MUST DO IN ORDER TO SAVE YOUR PROPERTY, PLEASE CALL YOUR ATTORNEY, THE TAX CLAIM BUREAU AT THE FOLLOWING TELEPHONE NUMBER: (814)-765-2641 OR THE COUNTY LAWYER REFERRAL SERVICE.

### NOTICE UNDER ACT OF 1947, P.L. 1368 "REAL ESTATE TAX LAW"

TO: ALL OWNERS OF PROPERTY DESCRIBED IN THIS NOTICE, AND ALL PERSONS HAVING TAX LIENS AND JUDGMENTS OR MUNICIPAL CLAIMS AGAINST SUCH PROPERTIES:

Notice is hereby given that the CLEARFIELD COUNTY TAX CLAIM BUREAU will expose the above described real estate to a public sale to be held at the CAST Building, 112 East Locust Street, Clearfield, Pennsylvania, at **10:00 AM on September 12, 2008** or any day to which the sale may be adjourned, re-adjourned or continued. This sale will be held for the purpose of collecting unpaid taxes, municipal claims and all costs incident thereto. The above described real estate will be offered for sale for at least the UPSET SALE PRICE, which is set forth in this notice. If the subject taxes cannot be paid in full, the sale of this property may, at the option of the Bureau, be stopped if the owner, or any lien creditor of the owner, enters into an agreement with the BUREAU to pay the taxes and costs owing on said property in the manner provided by said law. This contract requires a downpayment of 25% of ALL tax delinquencies, and provides for subsequent partial payments at set intervals.

Notice of sale will be published in the Clearfield Progress, the DuBois Courier Express and the Clearfield County Legal Journal the week of: **August 4, 2008**

TERMS OF SALE: Cash or Certified Check payable to "TAX CLAIM BUREAU" at time property is struck down. Personal Checks accepted subject to final payment at

Any check returned unpaid by you

2. Article Number

7179 2806 6600 0013 3871

### COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

  
X  Agent  Addressee  
 Yes  No

D. Is delivery address different from Item 1?  
If YES, enter delivery address below:

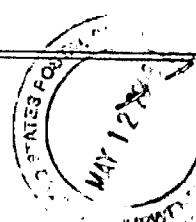
Eligible property owners may remit  
The "AGREEMENT" requires con-

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to: **3387**

THOMAS, DANIEL F  
312 WALNUT ST  
CURWENSVILLE PA 16833



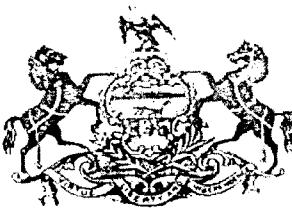
Claim # **2006-007580**

Clearfield County Tax Claim Bureau - NOTICE OF RETURN AND CLAIM

-FILE COPY-\*

Date: April 2, 2007

5357



Claim # 2006-007580

Control # 125044466

Map# F10-000-037.1

Property Description

2.53 A SURF

Owner Or Reputed Owner

THOMAS, DIANE L &  
DANIEL F THOMAS  
312 WALNUT ST  
CURWENSVILLE PA 16833

Delinquent 2006 Real Estate Tax

Address all communication in connection with claim and make all checks or  
money orders payable to: Clearfield County Tax Claim Bureau  
230 East Market Street  
Clearfield PA 16830-2425

Business Hours: 8:30 AM to 4:00 PM Monday thru Friday Phone (814) 765-2641

Notice is hereby given that the property above described has been returned to the Tax Claim Bureau of Clearfield County for non-payment of taxes and a claim has been entered under the provisions of Act No. 1947 P.L. 1368, as amended. If payment of these taxes is not made to the Tax Claim Bureau on or before **12/31/2007** and no exception is filed the claim will become absolute.

On **07/01/2007** a one (1) year period for discharge of tax claim shall commence or has commenced to run and if payment of taxes is not made during that period as provided by Act No. 1947, P.L. 1368, as amended, the property shall be advertised and exposed for sale under provisions of said act and there shall be no redemption after the actual sale.

Taxes Returned to Tax Claim Bureau	01/15/2007	County	\$5.78
		Municipal	\$1.79
		School	\$17.60
		Total	\$25.17

TOTAL DELINQUENCY IF PAID BY April 30, 2007

**\$50.55**

CALL FOR EXACT AMOUNT DUE.  
APPROXIMATE INTEREST ADDED FIRST  
DAY OF EACH MONTH = \$0.19

Any check returned unpaid by your bank will be subject to a twenty dollar (\$20.00) returned check fee.

PARTIAL PAYMENTS ARE ACCEPTED.

Eligible property owners may apply for an extension of time for payment of delinquent taxes by entering into an "AGREEMENT TO STAY SALE". Partial payment is accepted to begin the process of an "AGREEMENT TO STAY SALE".

2. Article Number

7109 2806 6600 0057 7286

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)  
*Daniel Thomas* B. Date of Delivery  
*4/11/07*

C. Signature

X *Daniel Thomas*  
D. Is delivery address different from item 1?  
If YES, enter delivery address below:

Agent  
 Addressee  
 Yes  
 No

HE TAX CLAIM, YOUR PROPERTY  
MAY BE SOLD FOR A SMALL  
12/31/2007 YOUR PROPERTY  
IS THE ACTUAL SALE DATE  
UCH SALE. IF YOU HAVE ANY  
OR THE COUNTY LAWYER

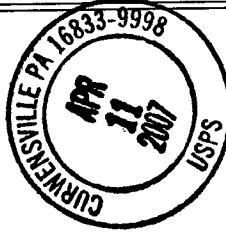
3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to: 6728

THOMAS, DIANE L &  
DANIEL F THOMAS  
312 WALNUT ST  
CURWENSVILLE PA 16833

IS FOR INFORMATION ONLY.



Claim # 2006-007580

## Clearfield County Tax Claim Bureau

230 East Market Street - Suite 121  
 Clearfield, Pennsylvania 16830-2425  
 Phone: (814) 765-2641 Ext. 5998  
 Mary Anne Wesdock, Director

Agreement To Stay Sale

THIS AGREEMENT, made and entered into on Thursday, August 28, 2008  
 BETWEEN THE TAX CLAIM BUREAU OF CLEARFIELD COUNTY, PENNSYLVANIA party of the first part, and  
 THOMAS, DIANE L, DANIEL F party of the second part.  
 THOMAS & DOREEN F ASTORINO  
 138 WHITETAIL LANE  
 PHILIPSBURG PA 16866

Description Of Property 009003242  
 4.75 A

WHEREAS, delinquent taxes on the above described property have been returned to this Bureau, as evidenced by the following:

Claim #	For The Year	Taxes/Interest/Costs Owed	Payment Amount
2007-001225	2007	256.12	
2006-001169	2006	377.26	
Total Taxes/Interest/Costs Owed		633.38	Total Payment 158.35

WHEREAS, the party of the second part has offered to make payment of all sums due and owing to the TAX CLAIM BUREAU as set out above, so that Sale may be stayed.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that upon payment by the party of the second part to the TAX CLAIM BUREAU of the amounts hereinafter set forth on or before the date set out opposite each, Sale shall be stayed, and upon payment of the fourth amount, the Tax Claim Bureau shall, by it's Director, satisfy the Tax Claims against said property. Provided, however, that in case of default by the party of the second part in complying with the terms of payment, the Tax Claim Bureau may, after written notice of such default given by United States Mail, postage prepaid, to the party of the second part at the address stated herein, proceed with the Sale of said property as provided by the law in such case. In the event of default of this Agreement, Tax Claim Bureau shall not enter into a new agreement with the party of the second part for a period of THREE YEARS from the period of default.

NOTICE: IF ANY PAYMENT DUE BY THIS AGREEMENT IS LATE, YOU WILL BE OFFERED THE OPPORTUNITY TO PAY THE AGREEMENT IN FULL, AND FAILING TO DO THIS, THE PROPERTY WILL BE SOLD. A \$5.00 CHARGE WILL BE ADDED FOR EACH CERTIFIED MAILING.

Schedule of Payments for AgreementRecord of Payment

Payment Amount	Payment Due Date	Date	/	Amount Paid
158.35	8/28/2008	8/28/2008	/	158.35
158.35	11/28/2008			
158.35	2/28/2009			
158.35	5/28/2009			

CLEARFIELD COUNTY TAX CLAIM BUREAU

BY

*Mary Anne Wesdock*

Director of Tax Claim Bureau

\*NOTICE - If Payment Due Date is on a weekend or holiday your payment MUST be received on the next business day by the Tax Claim Bureau.

WITNESS:

*Joffery C. Graham*

Joffery C. Graham - Assistant Director

BY

Property Owner

Exhibit "D" *2 Pgs*

## Clearfield County Tax Claim Bureau

230 East Market Street - Suite 121

Clearfield, Pennsylvania 16830

Phone: (814) 765-2641 Ext. 5998

Receipt # 222413

Thursday, August 28, 2008

Received Of:

THOMAS, DIANE L, DANIEL F

Control # 009003242

Claim # 2006-001169

Map # F11-343-00001

In The Amount Of:

\$156.35

Property Desc 4.75 A

	County	District	School
TAX	42.73	28.49	85.13
INTEREST	0.00	0.00	0.00
COST / PENALTY	0.00		
CURRENT YEAR	0.00	0.00	0.00
OVERBID	0.00		
<b>TOTAL</b>	<b><u>\$156.35</u></b>		

\_\_\_\_\_  
Director of Tax Claim Bureau

RECEIPT VALID ONLY UPON PAYMENT OF LEGAL TENDER

ANY CHECK RETURN UNPAID BY YOUR BANK WILL BE SUBJECT TO A TWENTY DOLLAR (\$20.00) RETURNED CHECK FEE.

Total Received On All Claims For 00900324 On 8/28/2008 \$156.35

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

DIANE L. THOMAS,

PETITIONER,

No. 08-\_\_\_\_\_CD

v.

CLEARFIELD COUNTY TAX CLAIM BUREAU,  
AND J. LOIS REIGHARD;

RESPONDENTS.

VERIFICATION

I, Diane L. Thomas, Petitioner, do hereby swear and affirm that I have read the foregoing PETITIONER'S OBJECTIONS TO TAX SALE and that the averments therein contained are true and correct to the best of my knowledge, information and belief. Furthermore, I am over the age of 18 years of age and give this unsworn statement knowing it is to authorities and subject to the penalties of 18 Pa.C.S.A. 4904.

So made this 27th day of October, 2008.

By.

  
Diane L. Thomas, Petitioner

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

**FILED**

DIANE L. THOMAS,  
PETITIONER,

v.

CLEARFIELD COUNTY TAX CLAIM BUREAU, :  
AND J. LOIS REIGHARD;

RESPONDENTS.

:  
No. 08-2070 -CD

OCT 31 2008  
M/12/08  
William A. Shaw  
Prothonotary/Clerk of Courts  
No 4C (RK)

Type of Pleading:

:  
**PETITIONER'S CERTIFICATE  
OF SERVICE**

:  
Filed By:

:  
**Diane L. Thomas, Petitioner**

:

:  
Counsel of Record:

:  
THERON G. NOBLE, ESQUIRE  
FERRARACCIO & NOBLE  
301 EAST PINE STREET  
CLEARFIELD, PA 16830  
(814)-375-2221  
PA I.D.#: 55942

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

DIANE L. THOMAS, )  
PETITIONER, )  
v. ) No. 08- 2070 -CD  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

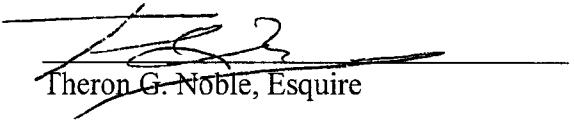
**CERTIFICATE OF SERVICE**

To: William A. Shaw, Prothonotary

Date: October 29, 2008

I, Theron G. Noble, counsel for Petitioner, Diane L. Thomas, does hereby certify, pursuant to 18 Pa.C.S.A. 4904, relating to unsworn falsification to authorities, that I did hand deliver to Mary Stewart, at the office of the Clearfield County Tax Claim Bureau, located within the Clearfield County Courthouse Annex, and that she did indicate she was authorized to accept service, a certified true and correct copy of PETITIONER'S OBJECTIONS TO TAX SALE in the above captioned matter, on the 29th day of October, 2008. Furthermore, I did also make arrangements with the Sheriff of Clearfield County for personal service not only to said respondent but also the individual respondent who purportedly resides out of state.

Respectfully Submitted,

  
Theron G. Noble, Esquire

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

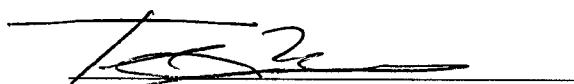
DIANE L. THOMAS, )  
PETITIONER, )  
v. ) No. 08-\_\_2070\_\_\_\_-CD  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

**CERTIFICATE OF SERVICE**

I, Theron G. Noble, counsel for Petitioner, Diane L. Thomas, does hereby certify, this 30th day of October, 2008, that I did mail a true and correct copy of Petitioner's CERTIFICATE OF SERVICE, to the below indicated respondents, at the addresses therein indicated, via United States Mail, first class, postage PREPAID, as follows:

Clearfield County Tax Claim Bureau	J. Louis Reighard
Clearfield County Courthouse Annex	1493 Hampton Rd.
2nd and Market Streets	Akron, OH 44305
Clearfield, PA 16830	

Respectfully Submitted,



\_\_\_\_\_  
Theron G. Noble, Esquire  
Attorney for Petitioner  
Ferraraccio & Noble  
301 East Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D. #: 55942

(12)

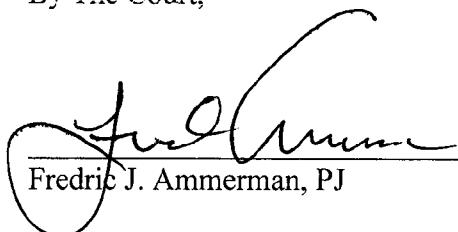
**IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,  
PENNSYLVANIA  
(CIVIL DIVISION)**

)  
DIANE L. THOMAS, )  
PETITIONER, )  
v. ) No. 08- 2070 -CD  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

**RULE TO SHOW CAUSE**

Now, this 31<sup>st</sup> day of October, 2008, upon consideration of  
PETITIONER'S OBJECTIONS TO TAX SALE, a RULE is hereby issued upon the  
Respondents, to SHOW CAUSE why said PETITION should not be granted. RULE  
RETURNABLE, for filing written response, is set for the \_\_\_\_\_ day of  
\_\_\_\_\_, 2008, and hearing will be held on the 21<sup>st</sup> day of  
November, 2008, commencing at 2:30, P.M., Courtroom  
No.1, Clearfield County Courthouse.

By The Court,

  
Fredric J. Ammerman, PJ

FILED <sup>4CC</sup>  
013:55 AM <sup>6A</sup> *Any Noble*  
NOV 03 2008  
*(610)*  
S William A. Shaw  
Prothonotary/Clerk of Courts

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

DIANE L. THOMAS,

PETITIONER,

: No. 08- 2070 -CD

v.

CLEARFIELD COUNTY TAX CLAIM BUREAU, :  
AND J. LOIS REIGHARD;

RESPONDENTS.

Type of Pleading:

: **PETITIONER'S CERTIFICATE  
OF SERVICE**

: Filed By:

: **Diane L. Thomas, Petitioner**

: Counsel of Record:

: Theron G. Noble, Esquire  
Ferraraccio & Noble  
301 East Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D.#: 55942

S  
FILED NO<sup>ce</sup>  
NOV 19 2008  
LJ  
William A. Shaw  
Prothonotary/Clerk of Courts

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

DIANE L. THOMAS, )  
PETITIONER, )  
v. ) No. 08- 2070 -CD  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

**CERTIFICATE OF SERVICE**

To: William A. Shaw, Prothonotary

Date: November 18, 2008

I, Theron G. Noble, counsel for Petitioner, Diane L. Thomas, does hereby certify, that on November 5, 2008, true and correct copies of the RULE TO SHOW CAUSE were sent, via United States Mail, first class, postage prepaid, addressed as follows, to the below indicated persons, being either counsel of record for the parties or pro se:

Kim Kesner, Esquire 212 South Second Street Clearfield, PA 16830	J. Lois Reighard 1493 Hampton Rd. Akron, OH 44305
--	---

Respectfully Submitted,



\_\_\_\_\_  
T. G. Noble, Esquire  
Ferraraccio & Noble  
301 E. Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D. #: 55942

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DIANE L. THOMAS

:

VS.

: NO. 08-2070-CD

CLEARFIELD COUNTY TAX

:

CLAIM BUREAU

:

O R D E R

AND NOW, this 21st day of November, 2008, being the date set for hearing on Petitioner's Objections to Tax Sale; the Court noting that counsel for the Tax Claim Bureau has certified to the Court that the property was not posted as required by law prior to the sale and that the record is not clear that the owner, Diane L. Thomas, was served with appropriate notice, it is the ORDER of this Court that the said sale to J. Lois Reighard be and is hereby vacated.

BY THE COURT,



President Judge

FILED *cc: Amy Noble*

Oct 07 2008 *cc: Tax Claim*

NOV 5 2008

*cc: J. Lois Reighard*

William A. Shaw *1403 Hampton Rd.*  
Prothonotary/Clerk of Courts *Akron, OH 44305*

*GIC*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-2070-CD

DIANE L. THOMAS

vs

CLEARFIELD COUNTY TAX CLAIM BUREAU AND J. LOIS REIGHARD  
PETITIONER'S OBJECTIONS TO TAX SALE

SERVE BY: 11/28/2008 *11/28/08* HEARING: PAGE: 104831

DEFENDANT: CLEARFIELD COUNTY TAX CLAIM BUREAU  
ADDRESS: 230 EAST MARKET ST  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:  VACANT  OCCUPIED

ATTEMPTS \_\_\_\_\_

S  
**FILED**  
C/8:45 cm  
DEC 12 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, 11/12/08 AT 2<sup>30</sup> pm AM / PM SERVED THE WITHIN

PETITIONER'S OBJECTIONS TO TAX SALE ON CLEARFIELD COUNTY TAX CLAIM BUREAU, DEFENDANT  
BY HANDING TO Jeff Graham 1 ast dr.

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS  
THEREOF.

ADDRESS SERVED 230 E. Market st. Clearfield Pa

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

PETITIONER'S OBJECTIONS TO TAX SALE FOR CLEARFIELD COUNTY TAX CLAIM BUREAU

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO CLEARFIELD COUNTY TAX CLAIM BUREAU

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS/SHERIFF

BY:

*Deputy S. Hunter*  
Deputy Signature  
*S. Hunter*

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104831  
NO: 08-2070-CD  
SERVICE # 2 OF 3  
PETITIONER'S OBJECTIONS TO TAX SALE

PLAINTIFF: DIANE L. THOMAS

VS.

DEFENDANT: CLEARFIELD COUNTY TAX CLAIM BUREAU AND J. LOIS REIGHARD

**SHERIFF RETURN**

NOW, November 10, 2008 MAILED THE WITHIN PETITIONER'S OBJECTIONS TO TAX SALE TO J. LOUIS REIGHARD DEFENDANT AT 1493 HAMPTON ROAD, AKRON, OH, 44305 BY CERTIFIED MAIL # 7006 0810 0001 4507 4487. THE MAILING IS HERETO ATTACHED MARKED UNCLAIMED (SEE ATTACHED TRACK & CONFIRM).

NOW November 10, 2008 mailed the within Petitioner's Objections to Tax Sale to J. Louis Reighard, defendant by regular mail. The letter was never returned.

5  
FILED  
01/31/2009  
DEC 17 2008  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104831  
NO: 08-2070-CD  
SERVICES 3  
PETITIONER'S OBJECTIONS TO TAX SALE

PLAINTIFF: DIANE L. THOMAS

vs.

DEFENDANT: CLEARFIELD COUNTY TAX CLAIM BUREAU AND J. LOIS REIGHARD

**SHERIFF RETURN**

---

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NOBLE	3592	30.00
SHERIFF HAWKINS	NOBLE	3592	47.24

Sworn to Before Me This

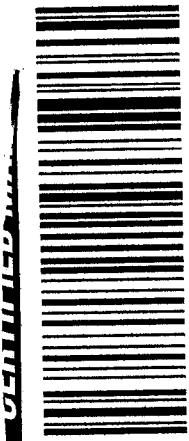
So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2008

  
Chester A. Hawkins  
Sheriff



CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 4487

RETURN RECEIPT  
REQUESTED

03H3505405  
6 C 3 240  
11/10/2008  
Mailed From 16830  
US POSTAGE

UNC

FINAL NOTICE

11/28  
13/18

LEOIS REIGHARD  
1493 HAMPTON ROAD  
AKRON, OH 44305

4430554117 CO15 11/28/2008

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

DIANE L. THOMAS,

PETITIONER,

: No. 08-2070-CD

v.

CLEARFIELD COUNTY TAX CLAIM BUREAU, :  
AND J. LOIS REIGHARD;

RESPONDENTS.

Type of Pleading:

: PETITIONER'S OBJECTIONS  
: TO TAX SALE

: Filed By:

: Diane L. Thomas, Petitioner

: Counsel of Record:

: Theron G. Noble, Esquire  
: Ferraraccio & Noble  
: 301 East Pine Street  
: Clearfield, PA 16830  
: (814)-375-2221  
: PA I.D.#: 55942

I hereby certify this is a true  
and attested copy of the original  
statement filed in this case.

OCT 29 2008

Attest.

*William L. Lauer*  
Prothonotary/  
Clerk of Courts

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

DIANE L. THOMAS, )  
PETITIONER, )  
No. 08- 2676 -CD  
v. )  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

**NOTICE TO DEFEND**

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY CLAIM IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF(S). 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 AN ATTORNEY, OR CANNOT FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator  
c/o Clearfield County Courthouse  
2nd and Market Streets  
Clearfield, PA 16830  
(814)-765-2641

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

DIANE L. THOMAS, )  
PETITIONER, )  
v. ) No. 08- 2070 -CD  
CLEARFIELD COUNTY TAX CLAIM BUREAU, )  
AND J. LOIS REIGHARD; )  
RESPONDENTS. )

PETITIONER'S OBJECTIONS TO TAX SALE

AND now, comes the Petitioner, Diane L. Thomas, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who aver as follows in support of PETITIONER'S OBJECTION TO TAX SALE:

1. That petitioner is Diane L. Thomas, who does, and at all material times, unless otherwise noted, resides at 138 Whitetail Lane, Philipsburg, Centre County, Pennsylvania.
2. That first respondent is Clearfield County Tax Claim Bureau, whose official address is 230 E. Market Street, Clearfield, Clearfield County, Pennsylvania 16830, and which is charged with administration of tax collections pursuant to Pennsylvania law for Clearfield County.
3. That second respondent is J. Louis Reighard, upon information and belief, is an individual whose highest bid was accepted at a tax sale, subject matter of this Petition, to be more fully discussed, and whose address is believed to be 1493 Hampton Rd., Akron, Summit County, Ohio 44305. See Exhibit "A".

Background

4. This petition concerns a property identified as Tax Map No. F10-000-037.1, being further identified as Control No. 125044466, consisting of unseated, 2.5 acres of land in Penn Township, Clearfield County, Pennsylvania.
5. That Petitioner received an ownership interest, along with her brother, Daniel F. Thomas, who owned the same as tenants in common, through distribution of her mother's (Jeanine Thomas), estate in 2003. See Exhibit "B".
6. That by arrangements of Petitioner, and her brother, Petitioner was the party responsible for their various joint real estate interests, including payment of real estate taxes.
7. That at the time Petitioner received said property, and other properties from her mother's estate, some owned jointly with her brother, others owned individually, she resided at 337 Paylor Hills Road, Centre Hall, Centre County, Pennsylvania, but knew that her address was to change in the not to distant future such that it was best to use her brother's address for receipt of future tax notices and did so list her brother's address (312 Walnut Street, Curwensville, PA 16833) for such notices. See Exhibit "B".
8. That approximately two years ago, Petitioner notified the Clearfield County Tax Claim Bureau, first respondent, that she had a new address and requested that tax notices be sent to said address.
9. That apparently Petitioner's address was corrected for some of her real estate interests, speculated to be those in which she alone has interest, and did not so change for others, speculated to be those in which she has a joint interest, upon such request.
10. In any event, first respondent sent all required notices to Petitioner at her brother's

aforementioned address.

11. The notices required to be sent by certified mail, which were addressed to Daniel F. Thomas were accepted by him, however, those notices sent by certified mail addressed to Petitioner at such address were unclaimed by her as that was not her address, nor did she reside or frequent such address on a routine basis. See Exhibit "C".

12. In any event, when Petitioner was made aware of the delinquent tax situation on this and other properties, Petitioner contacted first respondent to make arrangements for the delinquent taxes and an agreement was so made. See Exhibit "D".

13. That first respondent utilized Petitioner's correct address for said agreement, sending her a copy of the same at her correct address, dated August 28, 2008. See Exhibit "D".

14. For some reason, despite Petitioner's belief this agreement encompassed all outstanding tax obligations, apparently the premises subject of this petition was not included in this agreement, nor was Petitioner aware that this property was not included.

15. However, despite that first respondent was again made aware of Petitioner's correct address (as it had been made aware earlier as per averment 8), first respondent continued to utilize her brother's address for any and all subsequent required notices regarding this matter.

16. That because the subject premises is "landlocked", first respondent also was not able to post the property for tax sale.

**COUNT I: Lack of Notice**

17. That the averments of paragraphs 1 - 17, inclusive are hereby incorporated as if again fully set forth at length.

18. That §602 of the Real Estate Tax Sale Act (72 Pa.C.S.A. §5860.602) requires that

such notices be sent to all joint tenants, at their last known address. Teslovich, et.al. v. Shroyer, et.al., 406 A.2d 1374 (1979).

19. That first respondent failed to give notice of this pending and then actual tax sale to Petitioner because it did not send the required notices to her current and last known address, information of which was previously given to first respondent as per averment 8 a few years ago and then so recently again provided per averments 12, 13 and Exhibit "D", per the Real Estate Tax Sale Act.

20. Pennsylvania law also requires that three types of notice must be utilized which include: (i) publication; (ii) certified mailing (at last known address); and (iii) posting. See Sale Property of Malchom, 503 A.2d 1051 (1986); and Return of Tax Sale by Indiana County Tax Claim Bureau v. Clawson, 395 A.2d 703 (1979).

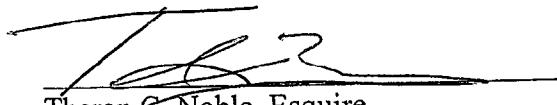
21. That first respondent did not post the property subject of this petition as required by Pennsylvania law.

22. That failure to give notice by all three means as required by Malchom is a fatal defect.

23. In this situation, first respondent failed to utilize Petitioner's last known address for the mailings required and attempted to be sent her, and failed to post the property, either of which requires the subsequent tax sale to be upset.

WHEREFORE, Petitioner respectfully requests that the tax sale recently held concerning the 2.5 acres property, located in Penn Township, Clearfield County, Pennsylvania, identified as F10-000-37.1, be set aside and upset.

Respectfully Submitted,



Theron G. Noble, Esquire  
Attorney for Petitioners  
Ferraraccio & Noble  
301 East Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D. #: 55942

## Ald County Tax Claim Bureau Offers the following Property for Tax Sale:

## Name As Assessed

THOMAS, DIANE L &  
DANIEL F THOMAS  
312 WALNUT ST  
CURWENSVILLE PA 16833

## PENN TOWNSHIP

Claim Number 2006-007580  
Control Number 125044466  
Map Number F10-000-037.1

06-7580  
07-7804  
#4

Property Description  
2.53 A SURF

Deed Book/Page 2003 32 57

Total Upset Price / Minimum Bid:

\$344.17

## Purchaser

*Richard Reichard*  
1493 Hampton Rd.  
Akron OH 44305

Bid Amount:

\$750

% Transfer Tax:

Deed Transfer:

## Deed Information:

## Name(s):

*Richard Reichard*  
*Robert Reichard*

## Mailing Address:

*1493 Hampton Rd.*  
*Akron, Oh 44305*

Assessed Value 250

Common Level Ratio 5.68

Exhibit "A"

Equal Market Value 1420.00

000

Current Year Taxes:	County	District	School	Total
	5.25	1.63	17.04	23.92

0.00

0.00

0.00

000

0.00 - 751.00

0.00 - 14.00

0.00 - 14.00

0.00 - 29.50

CK #  
9165

# CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder  
Maurene Inlow - Chief Deputy  
P.O. Box 361  
1 North Second Street, Suite 103  
Clearfield, Pennsylvania 16830

AFFIDAVIT No. 37092

## \*RETURN DOCUMENT TO:

FERRARACCIO & NOBLE  
301 E. PINE STREET  
CLEARFIELD, PA 16830

Instrument Number - 200322183  
Recorded On 12/8/2003 At 1:52:34 PM  
\* Instrument Type - DEED  
\* Total Pages - 6  
Invoice Number - 102484  
\* Grantor - THOMAS, DONALD J  
\* Grantee - THOMAS, DIANE L  
\* Customer - FERRARACCIO & NOBLE

\* FEES  
RECORDING FEES - \$15.50  
RECORDER  
COUNTY IMPROVEMENT FUND \$2.00  
RECORDER IMPROVEMENT \$3.00  
FUND  
JCS/ACCESS TO JUSTICE \$10.00  
STATE WRIT TAX \$0.50  
TOTAL \$31.00

Exhibit "B"

(6 pages)

I hereby CERTIFY that this document  
is recorded in the Recorder's Office of  
Clearfield County, Pennsylvania.



Karen L. Starck  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

## Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

# D E E D

THIS INDENTURE, Made the 15<sup>th</sup> day of January, in the year of our Lord,  
Two Thousand Three (2003),

BETWEEN, DONALD J. THOMAS and DEBRA A. THOMAS, Co-  
Administrators, dbncta, of the JEANINE THOMAS ESTATE, deceased, Grantors of the  
first part,

AND

DIANE L. THOMAS of 337 Paylor Hills Road, Centre Hall, Centre County, Pennsylvania, and  
DANIEL F. THOMAS of 312 Walnut Street, Curwensville, Clearfield County, Pennsylvania,  
each to an undivided 1/2 interest, as tenants in common and not as joint tenants with the right of  
survivorship, Grantees, Parties of the second part,

WHEREAS, the said JEANINE THOMAS, during her lifetime, became the owner of  
parcels situated in Penn Township, Clearfield County, Pennsylvania; and

WHEREAS, the said JEANINE THOMAS, died Testate on April 6, 1999, leaving a Will  
dated April 19, 1972, which was duly probated and recorded in the Office of the Register of  
Wills for the County of Clearfield, Pennsylvania, in Estate File #99-295; and

WHEREAS, the said Will in Paragraph 9th authorizes and empowers the Co-  
Administrators named in the Will to sell and dispose of the Real Estate without Court approval  
or consent of the beneficiaries under the Will and on such terms as the Co-Administrators may  
deem proper; and to make, execute, and deliver to the purchaser good and sufficient deeds of  
conveyance; and

WHEREAS, Letters of Administration, dbncta, in the said Estate were granted by the  
Register of Wills of Clearfield County, Pennsylvania, to DONALD J. THOMAS and DEBRA  
A. THOMAS, on June 2, 1999.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, that the said Grantor, for

and in consideration of the sum of One and 00/100 (\$1.00) Dollar and good and other valuable consideration, paid to DONALD J. THOMAS and DEBRA A. THOMAS, as Co-Administrators, as aforesaid, has granted and conveyed, and by these presents does grant and convey unto the said Grantees, their heirs and assigns, as tenants by the entireties, by force and virtue of the provisions of Section 3351 of the Probate, Estates and Fiduciary Code of Pennsylvania,

**THE FIRST THEREOF:**

ALL that certain part or parcels of land situate in Penn Township, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at a point being the southeast corner of the premises of which this parcel is a part, said point being a common corner of lands now or formerly of James Conrad, et al, Clement Keiser, et al, Thomas Kelce, et al and Jeanine Thomas; thence North along line of lands now or formerly of James Conrad, et al, Four Hundred (400) feet more or less to a point; thence through other lands of Jeanine Thomas of which this parcel is a part in a southwesterly direction Five Hundred Fifty (550) feet more or less to a point on the Northern line of lands now or formerly of Thomas Kelce, et al; thence along the line of lands now or formerly of Thomas Kelce, et al in an Easterly direction Four Hundred (400) feet more or less to a point and place of beginning. Being a triangular parcel of land containing approximately 1.83 acres.

BEING the same premises conveyed to Jeanine Thomas from Deed of Clement L. Keiser and Betty Ann Keiser, said Deed dated December 25, 1985 and recorded in Volume 1339, page 447.

BEING identified as Map #: 125-F10-37.1

**THE SECOND THEREOF:**

ALL that certain part or parcels of land situate in Penn Township, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at a stone at the Southwest corner hereof; running thence by land of the Nelson Walker Estate, Easterly one hundred sixty (160) perches to a hemlock, corner of Brown Place, now E. A. Irvin Estate; thence by land of John Guiher North one hundred six (106) perches to a post at land now or formerly of Lewis Woods; thence by said land West once hundred sixty (160) perches to a post at land now or formerly of Isaac Woods; thence by said land South one hundred six (106) perches to the point or place of beginning. Containing one hundred and six (106) acres, more or less

EXCEPTING and RESERVING the same exceptions relating to the minerals as were reserved in prior deeds.

BEING the second thereof in deed from County National Bank, Testamentary Guardian

under the Last Will and Testament of Jefferson Thomas for Dianne Thomas, Debra Thomas, Donald Thomas, Doreen Thomas and Daniel Thomas, said Deed dated October 15, 1969 and recorded October 17, 1969 in Record Book 554, page 606.

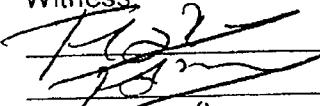
BEING identified in the Clearfield County Mapping and Assessment Office as Map No. 125-F10-37

NOTICE - THIS DOCUMENT MAY NOT (DOES NOT) SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE (HAVE) THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth in the manner provided in Section 1 of the Act of July, 1957, P.L. 984, as amended).

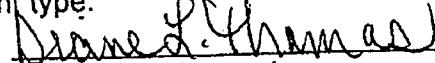
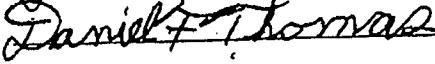
## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:


This 15<sup>th</sup> day of October, 2003

THIS IS A TRANSFER FROM MOTHER TO CHILDREN, THEREFORE NO TRANSFER TAX IS DUE

**TOGETHER** with all and singular the tenements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; **AND ALSO** all the estate, right, title, interest, property, claim and demand whatsoever, both in law and equity, of the said parties of the first part, of, in, to or out of the said premises, and every part and parcel thereof.

**TO HAVE AND TO HOLD** the said premises, with all and singular the appurtenances, unto the said parties of the second part, their heirs and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs and assigns forever.

**AND**, DONALD J. THOMAS and DEBRA A. THOMAS, Co-Administrators, dbncta does covenant, promise, grant and agree to and with the said Grantees, their heirs and assigns, as tenants by the entireties, by these presents, that they, DONALD J. THOMAS and DEBRA A. THOMAS, Co-Administrators, have not heretofore done, committed, or willingly or unwillingly suffered to be done or committed, an act, matter of thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall or may be impeached, charged or encumbered, in title, charge, estate, or otherwise howsoever.

**IN WITNESS WHEREOF**, the Grantors have hereunto set their hand and seal the day and year first above written.

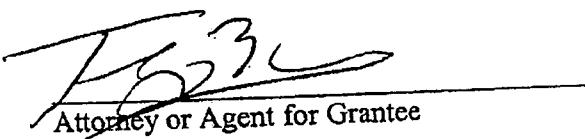
Witnessed:

  
Donald J. Thomas, Co-Administrator  
of the Jeanine Thomas Estate (SEAL)  
Debra A. Thomas, Co-Administrator  
of the Jeanine Thomas Estate (SEAL)

#### CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the Grantees herein is as follows:

312 Walnut St.  
Curwensville, PA 16833

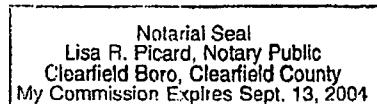
  
Attorney or Agent for Grantee

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Clearfield

: SS.  
:

On this, the 15<sup>th</sup> day of November, 2003, before me, the undersigned officer, personally appeared, Donald J. Thomas, Co-Administrator of the Jeanine Thomas Estate, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he has executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



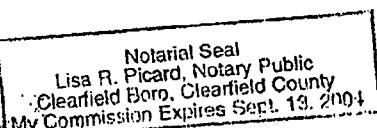
Lisa R. Picard  
Notary

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Clearfield

: SS.  
:

On this, the 5<sup>th</sup> day of November, 2003, before me, the undersigned officer, personally appeared, Debra A. Thomas, Co-Administrator of the Jeanine Thomas Estate, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she has executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

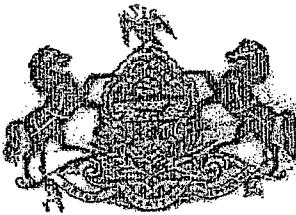


Lisa R. Picard  
Notary

# Clearfield County Tax Claim Bureau - NOTICE OF PUBLIC TAX SALE

Date: May 12, 2008

3386



Claim # 2006-007580

Control # 125044466

Map# F10-000-037.1

Property Description

2.53 A SURF

Delinquent 2006 Real Estate Tax

**File Copy**

Owner Or Reputed Owner  
THOMAS, DIANE L  
312 WALNUT ST  
CURWENSVILLE PA 16833

## WARNING

YOUR PROPERTY IS ABOUT TO BE SOLD WITHOUT YOUR CONSENT FOR DELINQUENT TAXES. YOUR PROPERTY MAY BE SOLD FOR A SMALL FRACTION OF IT'S FAIR MARKET VALUE. IF YOU HAVE ANY QUESTIONS AS TO WHAT YOU MUST DO IN ORDER TO SAVE YOUR PROPERTY, PLEASE CALL YOUR ATTORNEY, THE TAX CLAIM BUREAU AT THE FOLLOWING TELEPHONE NUMBER: (814)-765-2641 OR THE COUNTY LAWYER REFERRAL SERVICE.

### NOTICE UNDER ACT OF 1947, P.L. 1368 "REAL ESTATE TAX LAW"

TO: ALL OWNERS OF PROPERTY DESCRIBED IN THIS NOTICE, AND ALL PERSONS HAVING TAX LIENS AND JUDGMENTS OR MUNICIPAL CLAIMS AGAINST SUCH PROPERTIES:

Notice is hereby given that the CLEARFIELD COUNTY TAX CLAIM BUREAU will expose the above described real estate to a public sale to be held at the CAST Building, 112 East Locust Street, Clearfield, Pennsylvania, at 10:00 AM on September 12, 2008 or any day to which the sale may be adjourned, re-adjourned or continued. This sale will be held for the purpose of collecting unpaid taxes, municipal claims and all costs incident thereto. The above described real estate will be offered for sale for at least the UPSET SALE PRICE.

**CERTIFIED MAIL**

CLEARFIELD COUNTY  
TAX CLAIM BUREAU  
230 E. MARKET STREET  
CLEARFIELD, PA 16830-2425



FIRST CLASS MAIL  
U.S. POSTAGE-FEES PAID  
HYDE, PA  
PERMIT NO. 8

7109 2806 6600 0013 3864

**RESTRICTED DELIVERY**

**RETURN RECEIPT REQUESTED**

Exhibit  
"C"

Unc

THOMAS, DIANE L  
312 WALNUT ST  
CURWENSVILLE PA 16833

3386

5-10  
5-15  
5-25

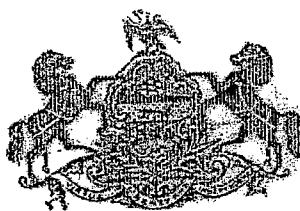
NIXIE 165 CC 1 25 05/28/08  
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD  
PC: 16830242530 \*1849-000977-09-09

REMOVE SIDE EDGES FIRST  
FOLD, CREASE AND TEAR ALONG PERFORATION

FOLD, CREASE AND TEAR ALONG PERFORATION

# Clearfield County Tax Claim Bureau - NOTICE OF PUBLIC TAX SALE

Date: May 12, 2008



3387

## Owner Or Reputed Owner

THOMAS, DANIEL F  
312 WALNUT ST  
CURWENSVILLE PA 16833

Claim # 2006-007580

Control # 125044466

Map# F10-000-037.1

Property Description

2.53 A SURF

Delinquent 2006 Real Estate Tax

File Copy

## WARNING

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### NOTICE UNDER ACT OF 1947, P.L. 1368 "REAL ESTATE TAX LAW"

TO: ALL OWNERS OF PROPERTY DESCRIBED IN THIS NOTICE, AND ALL PERSONS HAVING TAX LIENS AND JUDGMENTS OR MUNICIPAL CLAIMS AGAINST SUCH PROPERTIES:

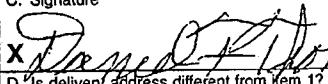
Notice is hereby given that the CLEARFIELD COUNTY TAX CLAIM BUREAU will expose the above described real estate to a public sale to be held at the CAST Building, 112 East Locust Street, Clearfield, Pennsylvania, at 10:00 AM on September 12, 2008 or any day to which the sale may be adjourned, re-adjourned or continued. This sale will be held for the purpose of collecting unpaid taxes, municipal claims and all costs incident thereto. The above described real estate will be offered for sale for at least the UPSET SALE PRICE, which is set forth in this notice. If the subject taxes cannot be paid in full, the sale of this property may, at the option of the Bureau, be stopped if the owner, or any lien creditor of the owner, enters into an agreement with the BUREAU to pay the taxes and costs owing on said property in the manner provided by said law. This contract requires a downpayment of 25% of ALL tax delinquencies, and provides for subsequent partial payments at set intervals.

Notice of sale will be published in the Clearfield Progress, the DuBois Courier Express and the Clearfield County Legal Journal the week of: August 4, 2008

TERMS OF SALE: Cash or Certified Check payable to "TAX CLAIM BUREAU" at time property is struck down. Personal Checks accepted subject to final payment at

Any check returned unpaid by you

2. Article Number  
7109 2806 6600 0013 3871

COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly)	B. Date of Delivery
C. Signature 	
D. Is delivery address different from Item 1? If YES, enter delivery address below: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

3. Service Type CERTIFIED MAIL

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to: 3387

THOMAS, DANIEL F  
312 WALNUT ST  
CURWENSVILLE PA 16833

Claim # 2006-007580

Clearfield County Tax Claim Bureau - NOTICE OF RETURN AND CLAIM

-FILE COPY-

Date: April 2, 2007

5357



Claim # 2006-007580

Control # 125044466

Map# F10-000-037.1

Property Description

2.53 A SURF

Owner Or Reputed Owner

THOMAS, DIANE L &  
DANIEL F THOMAS  
312 WALNUT ST  
CURWENSVILLE PA 16833

Delinquent 2006 Real Estate Tax

Address all communication in connection with claim and make all checks or  
money orders payable to: Clearfield County Tax Claim Bureau  
230 East Market Street  
Clearfield PA 16830-2425

Business Hours: 8:30 AM to 4:00 PM Monday thru Friday Phone (814) 765-2641

Notice is hereby given that the property above described has been returned to the Tax Claim Bureau of Clearfield County for non-payment of taxes and a claim has been entered under the provisions of Act No. 1947 P.L. 1368, as amended. If payment of these taxes is not made to the Tax Claim Bureau on or before 12/31/2007 and no exception is filed the claim will become absolute.

On 07/01/2007 a one (1) year period for discharge of tax claim shall commence or has commenced to run and if payment of taxes is not made during that period as provided by Act No. 1947, P.L. 1368, as amended, the property shall be advertised and exposed for sale under provisions of said act and there shall be no redemption after the actual sale.

Taxes Returned to Tax Claim Bureau	01/15/2007	County	\$5.78
		Municipal	\$1.79
		School	\$17.60
		Total	\$25.17

TOTAL DELINQUENCY IF PAID BY April 30, 2007

**\$50.55**

CALL FOR EXACT AMOUNT DUE.  
APPROXIMATE INTEREST ADDED FIRST  
DAY OF EACH MONTH = \$0.19

Any check returned unpaid by your bank will be subject to a twenty dollar (\$20.00) returned check fee.  
PARTIAL PAYMENTS ARE ACCEPTED.

Eligible property owners may apply for an extension of time for payment of delinquent taxes by entering into an "AGREEMENT TO STAY SALE". Partial payment is acceptable to the Tax Claim Bureau.

2. Article Number

7109 2806 6600 0057 7286

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

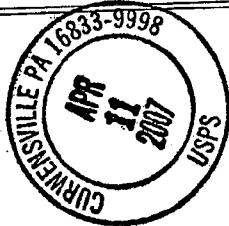
1. Article Addressed to: 6728

THOMAS, DIANE L &  
DANIEL F THOMAS  
312 WALNUT ST  
CURWENSVILLE PA 16833

COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly)	B. Date of Delivery
Daniel Thomas	4/11/07
C. Signature	
X <i>Daniel Thomas</i>	
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No	

HE TAX CLAIM, YOUR PROPERTY  
MAY BE SOLD FOR A SMALL  
12/31/2007 YOUR PROPERTY  
IS THE ACTUAL SALE DATE  
UCH SALE. IF YOU HAVE ANY  
OR THE COUNTY LAWYER

IS FOR INFORMATION ONLY.



Claim # 2006-007580

## Clearfield County Tax Claim Bureau

230 East Market Street - Suite 121  
 Clearfield, Pennsylvania 16830-2425  
 Phone: (814) 765-2641 Ext. 5998  
 Mary Anne Wesdock, Director

Agreement To Stay Sale

THIS AGREEMENT, made and entered into on Thursday, August 28, 2008  
 BETWEEN THE TAX CLAIM BUREAU OF CLEARFIELD COUNTY, PENNSYLVANIA party of the first part, and  
 THOMAS, DIANE L. DANIEL F  
 THOMAS & DOREEN F ASTORINO  
 138 WHITETAIL LANE  
 PHILLIPSBURG PA 16866

Description Of Property 009003242  
 4.75 A

WHEREAS, delinquent taxes on the above described property have been returned to this Bureau, as evidenced by the following:

Claim #	For The Year	Taxes/Interest/Costs Owed	Payment Amount
2007-001225	2007	256.12	
2006-001169	2006	377.26	
Total Taxes/Interest/Costs Owed		633.38	Total Payment 158.35

WHEREAS, the party of the second part has offered to make payment of all sums due and owing to the TAX CLAIM BUREAU as set out above, so that Sale may be stayed.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that upon payment by the party of the second part to the TAX CLAIM BUREAU of the amounts hereinafter set forth on or before the date set out opposite each, Sale shall be stayed, and upon payment of the fourth amount, the Tax Claim Bureau shall, by it's Director, satisfy the Tax Claims against said property. Provided, however, that in case of default by the party of the second part in complying with the terms of payment, the Tax Claim Bureau may, after written notice of such default given by United States Mail, postage prepaid, to the party of the second part at the address stated herein, proceed with the Sale of said property as provided by the law in such case. In the event of default of this Agreement, Tax Claim Bureau shall not enter into a new agreement with the party of the second part for a period of THREE YEARS from the period of default.

NOTICE: IF ANY PAYMENT DUE BY THIS AGREEMENT IS LATE, YOU WILL BE OFFERED THE OPPORTUNITY TO PAY THE AGREEMENT IN FULL, AND FAILING TO DO THIS, THE PROPERTY WILL BE SOLD. A \$5.00 CHARGE WILL BE ADDED FOR EACH CERTIFIED MAILING.

Schedule of Payments for AgreementRecord of Payment

Payment Amount	Payment Due Date	Date	/	Amount Paid
158.35	8/28/2008	8/28/2008	/	158.35
158.35	11/28/2008			
158.35	2/28/2009			
158.35	5/28/2009			

CLEARFIELD COUNTY TAX CLAIM BUREAU

BY

*Mary Anne Wesdock*

Director of Tax Claim Bureau

\*NOTICE - If Payment Due Date is on a weekend or holiday your payment MUST be received on the next business day by the Tax Claim Bureau.

WITNESS:

*Jeffery C. Graham*

Jeffery C. Graham - Assistant Director

BY

Property Owner

*[Redacted]* 2 pages  
 Exhibit "D"

## Clearfield County Tax Claim Bureau

230 East Market Street - Suite 121

Clearfield, Pennsylvania 16830

Phone: (814) 765-2641 Ext. 5998

Receipt # 222413

Thursday, August 28, 2008

Control # 009003242

Claim # 2006-001169

Map # F11-343-00001

Property Desc 4.75 A

in The Amount Of:

\$156.35

	County	District	School
TAX	42.73	28.49	85.13
INTEREST	0.00	0.00	0.00
COST / PENALTY	0.00		
CURRENT YEAR	0.00	0.00	0.00
OVERBID	0.00		
TOTAL	<u>\$156.35</u>		

*MaryAnne Kedock*

Director of Tax Claim Bureau

RECEIPT VALID ONLY UPON PAYMENT OF LEGAL TENDER

ANY CHECK RETURN UNPAID BY YOUR BANK WILL BE SUBJECT TO A TWENTY DOLLAR (\$20.00) RETURNED CHECK FEE.

Total Received On All Claims For 00900324 On 8/28/2008 \$156.35

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

DIANE L. THOMAS,

PETITIONER,

)  
No. 08-2070-CD

v.

CLEARFIELD COUNTY TAX CLAIM BUREAU,  
AND J. LOIS REIGHARD;

RESPONDENTS.

VERIFICATION

I, Diane L. Thomas, Petitioner, do hereby swear and affirm that I have read the foregoing PETITIONER'S OBJECTIONS TO TAX SALE and that the averments therein contained are true and correct to the best of my knowledge, information and belief. Furthermore, I am over the age of 18 years of age and give this unsworn statement knowing it is to authorities and subject to the penalties of 18 Pa.C.S.A. 4904.

So made this 27th day of October, 2008.

By.

  
Diane L. Thomas, Petitioner

4487 4507 4487

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.24

Postmark  
Here

6/24

**Sent To**

Street, Apt. No., or PO Box No.	J. LOUIS REIGHARD
City, State, ZIP+4	1493 HAMPTON ROAD
	AKRON, OH 44305

PS Form 2800 June 2002

See Reverse for Instructions

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.  
Internet access to delivery information is not available on mail  
addressed to APOs and FPOs.**

**SENDER: COMPLETE THIS SECTION****COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J LOUIS REIGHARD  
1493 HAMPTON ROAD  
AKRON, OH 44305

A. Signature	<input checked="" type="checkbox"/> Agent
X	<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

**3. Service Type**

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

**4. Restricted Delivery? (Extra Fee)**

Yes

**2. Article Number**

(Transfer from service label)

7006 0810 0001 4507 4487

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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## Track & Confirm

### Search Results

Label/Receipt Number: **7006 0810 0001 4507 4487**Status: **Unclaimed**

Your item was returned to the sender on December 3, 2008 because it was not claimed by the addressee.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Go >](#)[Additional Details >](#)[Return to USPS.com Home >](#)

### Notification Options

#### Track & Confirm by email

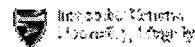
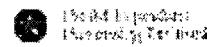
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## Track & Confirm

### Search Results

Label/Receipt Number: **7006 0810 0001 4507 4487**

Detailed Results:

- Unclaimed, December 03, 2008, 10:41 am, AKRON, OH
- Notice Left, November 13, 2008, 2:59 pm, AKRON, OH 44305
- Arrival at Unit, November 13, 2008, 3:24 am, AKRON, OH 44305

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### Track & Confirm

Enter Label/Receipt Number.

### Notification Options

#### Track & Confirm by email

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No FEAR Act EEO Data

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Equal Employment Opportunity Data



Freedom of Information Act