

174
DOCKET NO. _____

NUMBER	TERM	YEAR
394	May	1961

Edgar L. Stage, Mae Kline Stage,

his wife and William A. Kline

VERSUS

Any and all persons having an

interest in the premises

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE :
STAGE, his wife and WILLIAM :
A. KLINE :
VS. : NO. 394 MAY TERM, 1961
ANY AND ALL PERSONS HAVING AN :
INTEREST IN THE PREMISES :

PRAECIPE FOR FINAL JUDGMENT IN QUIET-
TITLE AND JUDGMENT FOR THE PREMISES

TO: WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Enter judgment for the Plaintiffs and against the Defendants in the above captioned matter for the premises, which are bounded and described as follows:

ALL that certain piece or lot of ground situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

COMMENCING at the corner of Lot No. 115 in the Weaverhurst plan or plot of lots, adjacent to and adjoining the Borough of Clearfield, in Lawrence Township, and on Woodland Road; thence along Woodland Road, a distance of fifty feet to Lot No. 117 in said plan of lots, said lot belonging to Paul Sotax; thence along the lot of Paul Sotax one hundred fifty feet to an alley; thence along said alley fifty feet to the corner of Lot No. 115 in said plan of lots; thence along said Lot No. 115 one hundred fifty feet to the place of beginning. Being Lot No. 116 in the Weaverhurst Plan of Lots.

BEING the same premises conveyed to Edgar L. Stage and Mae Kline Stage and William A. Kline by deed of Edgar L. Stage and Mae Kline Stage, his wife, dated the 29th day of February, 1960 and recorded in Deed Book 481, page 253.

The above being in accord with the Order of Court dated the 20th day of July, 1961, wherein the Court having decreed that unless an action of ejectment be begun against the Plaintiff within thirty (30) days from the date of said Order, that the Plaintiffs were to have final judgment upon Praecept filed, and further, the Plaintiff should give notice by publication, once a week for three (3) consecutive weeks in the Clearfield Progress of which pub-

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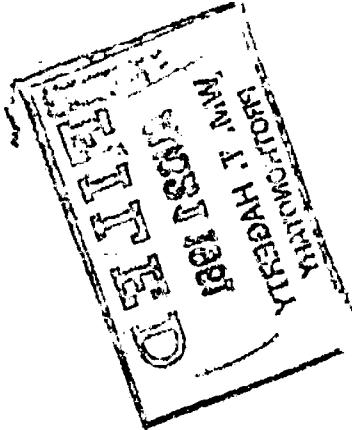
lication is hereto attached.

SMITH, SMITH & WORK

BY

Joseph P. Work
ATTORNEYS FOR PLAINTIFFS

DATED: AUGUST 21, 1961

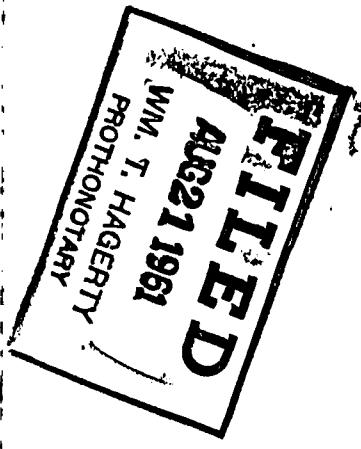


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This copy is hereby affixed.

SMITH, SMITH & WORK
ATTORNEYS FOR PLAINTIFFS
BY

DATE: AUGUST 24, 1961



NOTICE
IN THE COURT OF COMMON
PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
EDGAR L. STAGE, MAE
KLINE STAGE, his wife and WILLIAM A. KLINE.

VS.

ANY AND ALL PERSONS HAVING AN INTEREST IN THE PREMISES

No. 395 May Term, 1961

Take notice that on the 26th day of June, 1961, Edgar Stage, Mae Kline Stage, his wife, and William Kline filed their complaint in an act to Quiet Title to Lot No. 116 in the Weaverhurst plan of lots in Lawrence Township and that twenty (20) days having elapsed and no answer having been filed, the Court did on July 20, 1961 enter its decree that unless any person having or claiming an interest in the premises shall within thirty (30) days from the 20th day of July, 1961 bring an action of ejectment against the plaintiff above, that they shall be forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest or claim of the plaintiff as set forth in the complaint.

SMITH, SMITH & WORK, Clearfield, Pennsylvania. 7:22-29-8:5-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : : SS:
COUNTY OF CLEARFIELD :

On this 5th day of August, A.D. 1961, before me, the subscriber, a Notary Public in and for said County and State, personally appeared William C. Plummer, who being duly sworn according to law, deposes and says that he is the Advertising Manager of the Clearfield Progress, and designated agent of the Publisher of the Clearfield Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in the regular issues of

July 22 - 29 - Aug. 5-1961. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.



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


Notary Public NOTARY PUBLIC
My Commission Expires My Commission Expires March 22, 1963
Clearfield, Penna. Clearfield, Pa. Clearfield County

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE :
STAGE, his wife and WILLIAM :
A. KLINE :
VS. : No. 394 May Term, 1961

ANY AND ALL PERSONS HAVING :
AN INTEREST IN THE PREMISES :

MOTION FOR JUDGMENT,
AFFIDAVIT AND DECREE

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

NOW, this 20th day of July, 1961 comes SMITH, SMITH & WORK, Attorneys for the Plaintiffs in the above captioned proceedings and respectfully represents to the Court, that on the 26th day of June, 1961 they did on behalf of the Plaintiffs file a Complaint in an action to quiet title to the above term and number against any and all persons having an interest in the premises, which are described as follows:

ALL that certain piecr or lot of ground situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

COMMENCING at the corner of Lot No. 115 in the Weaverhurst plan or plot of lots, adjacent to and adjoining the Borough of Clearfield, in Lawrence Township, and on Woodland Road; thence along Woodland Road, a distance of fifty feet to Lot No. 117 in said plan of lots, said lot belonging to Paul Sotax; thence along the lot of Paul Sotax one hundred fifty feet to an alley; thence along said alley fifty feet to the corner of Lot No. 115 in said plan of lots; thence along said Lot No. 115 one hundred fifty feet to the place of beginning. Being Lot No. 116 in the Weaverhurst Plan of Lots.

BEING the same premises conveyed to Edgar L. Stage and Mae Kline Stage and William A. Kline by deed of Edgar L. Stage and Mae Kline Stage, his wife, dated the 29th day of February, 1960 and recorded in Deed Book 481, page 253.

AND, twenty days having elapsed with no parties filing a defense appearance to the proceedings to the Complaint, the Court is respectfully moved to grant judgment in the above captioned matter.

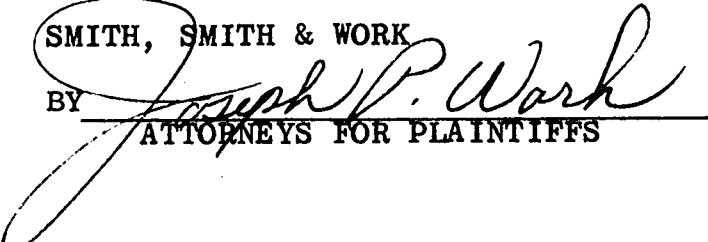
AND, your Honorable Court is further requested to enter a decree under Rule 1066 (b)(1) of the Rules of Civil Procedure, that any

and all persons having any claim to the premises as described in the said Complaint shall be forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest of the Plaintiffs as set forth in their Complaint, unless such person shall within thirty (30) days of such decree bring an action of ejectment against the Plaintiffstherein.

AND in support of the foregoing Motion an Affidavit is hereby filed, attached hereto and made a part hereof.

SMITH, SMITH & WORK

BY


ATTORNEYS FOR PLAINTIFFS

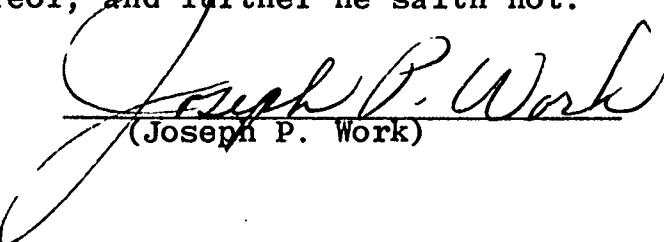
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE :
STAGE, his wife and WILLIAM :
A. KLINE :
VS. : No. 394 May Term, 1961
: :
ANY AND ALL PERSONS HAVING : QUIET TITLE
AN INTEREST IN THE PREMISES :

A F F I D A V I T

NOW, this 20th day of July, A. D., 1961 personally appeared before me the undersigned, JOSEPH P. WORK, who being duly sworn according to law does depose and say that pursuant to order of the Court of Common Pleas of Clearfield County, dated the 26th day of June, 1961 he did cause to be published in a newspaper of general circulation throughout the Court to wit: The Clearfield Progress, notice of the bringing of an action to quiet title by the Plaintiffs, said notice having duly endorsed therein a notice to plead to the said Complaint within twenty (20) days or suffer judgment by default, proof of the publication of such notice being hereto attached.

AND, he does further say, that said notice was caused to be published once a week for three consecutive weeks beginning on June 28, 1961 and that no appearance or answer has been filed to the said Complaint and that more than twenty (20) days have elapsed since the filing thereof, and further he saith not.


(Joseph P. Work)

Sworn to and subscribed
before me the 20th day
of July, 1961.

Mrs. Mildred B. Ginder

NOTARY PUBLIC
My Commission Expires
JANUARY 7, 1963

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE :
STAGE, his wife and WILLIAM :
A. KLINE :
VS. : No. 394 May Term, 1961
ANY AND ALL PERSONS HAVING : QUIET TITLE
AN INTEREST IN THE PREMISES :

D E C R E E

AND NOW, this 20th day of July, 1961 the foregoing Motion having been presented to the Court and moving the Court to enter judgment for failure to enter an appearance or file defensive pleadings to the Complaint in the above captioned matter, and it further appearing that all proceedings have been conducted pursuant to and according with the Order of this Court, dated June 26, 1961.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that judgment is hereby entered by the Plaintiffs on the Complaint and unless any person or persons having or claiming an interest in the premises as described in said Complaint and in the foregoing Motion, shall within thirty (30) days from the date hereof bring an action of ejectment against the Plaintiffs herein, then any and all persons shall be forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint.

Notice of this Order shall be given to any and all persons whose names and whereabouts are unknown which fact has heretofore been supported by Affidavit, by publication once a week for Three weeks in the Clearfield Progress, Clearfield, Pennsylvania.

As at the end of thirty (30) days from this date no action of ejectment has been commenced against the Plaintiffs herein then the Plaintiffs shall have final judgment for the premises upon Praecept filed with the Prothonotary of Clearfield County Common Pleas Court.

BY THE COURT

P. J.

NOTICE
IN THE COURT OF COMMON
PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA.

EDGAR L. STAGE, MAE KLINE
STAGE, his wife, and WILLIAM A.
KLINE.

VS.
ANY AND ALL PERSONS HAVING
AN INTEREST IN THE
PREMISES.

No. 394, May Term, 1961
QUIET TITLE

Take notice that on the 26th day of June, 1961 Edgar L. Stage, Mae Kline Stage, his wife, and William A. Kline filed their Complaint averring that they are the owners of all that certain piece, parcel or tract of land situate in the Township of Lawrence, County of Clearfield, State of Pennsylvania bounded and described as follows:

COMMENCING at the corner of Lot No. 115 in the Weaverhurst plan or plot of lots, adjacent to and adjoining the Borough of Clearfield; in Lawrence Township, and in Woodland Road; thence along Woodland Road, a distance of fifty feet to Lot No. 117 in said plan of lots, said lot belonging to Paul Sotax; thence along the lot of Paul Sotax one hundred fifty feet to an alley; thence along said alley fifty feet to the corner of Lot No. 115 in said plan of lots; thence along said Lot No. 115 fifty feet to the place of beginning, being Lot No. 116 in the Weaverhurst Plan of Lots.

BEING the same premises conveyed to Edgar L. Stage and Mae Kline Stage and William A. Kline by deed of Edgar L. Stage and Mae Kline Stage, his wife dated the 29th day of February, 1960 and recorded in Deed Book 481, page 53.

WHEREAS said Court ordered

that notice of these facts be served on all persons whoever may be the holder or holders of any right, title or interest in the described property by advertisement requiring them to answer said Complaint within twenty (20) days from the 26th day of July, 1961.

SMITH, SMITH & WORK, Clearfield, Pennsylvania. 6:28-7:5-12-b

PROOF OF PUBLICATION

OF PENNSYLVANIA : : SS:
TY OF CLEARFIELD : :

On this 12th day of July, A. D. 1961,

me, the subscriber, a Notary Public in and for said County and State, personally appeared William C. Plummer, who being duly sworn according to law, deposes and says that he is the Advertising Manager of the Clearfield Progress, and designated agent of the Publisher of the Clearfield Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in the regular issues of

June 28, 1961 and

July 5 and 12, 1961. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

William C. Plummer

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

Mrs. Margaret M. Burnett
Notary Public
My Commission Expires March 20, 1963
Clearfield, Penna. Clearfield, Pa. Clearfield County

—Lap-over Margin—

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 394 May Term, 1961
QUIET TITLE

EDGAR L. STAGE, MAE KLINE
STAGE, his wife and WILLIAM
A. KLINE

VS.

ANY AND ALL PERSONS HAVING
AN INTEREST IN THE PREMISES

MOTION FOR JUDGMENT, AFFIDAVIT
AND DECREE



SMITH, SMITH & WORK
ATTORNEYS-AT-LAW
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE
STAGE, his wife and WILLIAM
A. KLINE

VS.

No. 394 May Term, 1961

ANY AND ALL PERSONS HAVING
AN INTEREST IN THE PREMISES

QUIET TITLE

C O M P L A I N T

(1). The names of the Plaintiffs are Edgar L. Stage, Mae Kline Stage, his wife and William A. Kline, residents of the Borough of Clearfield, Clearfield County, Pennsylvania.

(2). The whereabouts and identity of any and all persons having any claim in the premises is unknown though a diligent search has been made to determine them.

(3). The Plaintiffs have since on or before January 1, 1940 been in exclusive and non-contested possession of the following described premises:

ALL that certain piece or lot of ground situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

COMMENCING at the corner of Lot No. 115 in the Weaverhurst plan or plot of lots, adjacent to and adjoining the Borough of Clearfield, in Lawrence Township, and on Woodland Road; thence along Woodland Road, a distance of fifty feet to Lot No. 117 in said plan of lots, said lot belonging to Paul Sotax; thence along the lot of Paul Sotax one hundred fifty feet to an alley; thence along said alley fifty feet to the corner of Lot No. 115 in said plan of lots; thence along said Lot No. 115 fifty feet to the place of beginning. Being Lot No. 116 in the Weaverhurst Plan of Lots.

BEING the same premises conveyed to Edgar L. Stage and Mae Kline Stage and William A. Kline by deed of Edgar L. Stage and Mae Kline Stage, his wife dated the 29th day of February, 1960 and recorded in Deed Book 481, page 253.

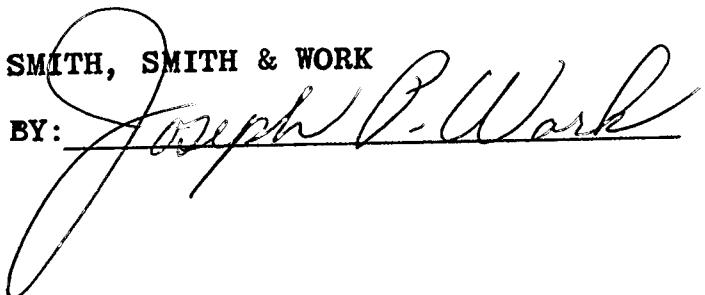
(4). The Plaintiffs have held possession of the lot and have created various improvements thereon over the period commencing on or before January 1, 1940 and have continued to exercise possession up to and including the date of this Complaint.

(5). The Plaintiffs are the owners of Lots 115, 106, 105, 113, 114, 121 and 122, which are adjoining lots to the premises herein described.

(6). And, the Plaintiffs in conjunction with these adjoining lots have exercised complete dominion and control over the premises herein described and while they have not been contested in their right to do so they are desirous of having the title adjudicated thereto.

WHEREFORE, the Plaintiffs bring this action and pray the Court to decree, that any and all persons are forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest of the Plaintiffs, unless they bring an action of ejectment against the Plaintiffs within thirty (30) days after the entry of judgment by the Court.

SMITH, SMITH & WORK

BY: 

STATE OF PENNSYLVANIA : SS
COUNTY OF CLEARFIELD :

EDGAR L. STAGE, being duly sworn according to law, deposes and says he is the Plaintiff in the foregoing Complaint, and the facts set forth therein are true and correct to the best of his knowledge, information and belief.

Edgar L. Stage
(Edgar L. Stage)

Sworn and subscribed to
before me this 6th day
of June, 1961.

of June, 1961.
Mrs Mildred B Grinaker

NOTARY PUBLIC
My Commission Expires
JANUARY 7, 1963

STATE OF PENNSYLVANIA: SS
COUNTY OF CLEARFIELD :

JOSEPH P. WORK, being duly sworn according to law, deposes and says he is Attorney for the Plaintiffs in the foregoing Complaint, and after due investigation, the names and whereabouts of any and all persons having an interest in the premises is unknown.

Joseph P. Work

Sworn and subscribed to
before me this 2nd day
of June, 1961.

11 June, 1961.

NOTARY PUBLIC
My Commission Expires
JANUARY 7, 1963

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE STAGE, :
his wife and WILLIAM A KLINE :

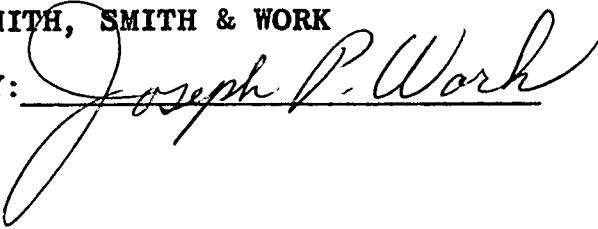
VS. : No. 394 May Term, 1961

ANY AND ALL PERSONS HAVING AN : QUIET TITLE
INTEREST IN THE PREMISES :

M O T I O N

AND NOW, to-wit, the 26th day of June, 1961, an affidavit having been executed by attorneys for Plaintiffs that the whereabouts of any and all persons having an interest in the premises, their heirs and assigns, is unknown, the same being named as Defendants in the Complaint, Plaintiffs, by their attorneys, Smith, Smith & Work move the Court for leave to serve the Complaint on such persons by publication in such manner as the Court shall direct as provided by Pa. R.C.P. No. 1064(b).

SMITH, SMITH & WORK

BY: 

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR L. STAGE, MAE KLINE :
STAGE, his wife and WILLIAM :
A. KLINE :

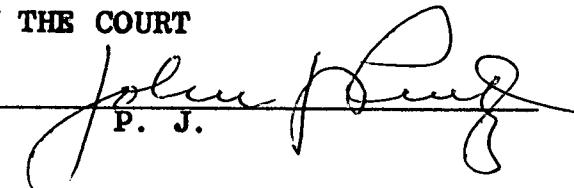
VS. : No. 394 May Term, 1961

ANY AND ALL PERSONS HAVING : QUIET TITLE
AN INTEREST IN THE PREMISES :

O R D E R

NOW, the ~~14th~~ day of June, 1961, Plaintiffs are granted leave to make service of the Complaint upon the Defendants, whose whereabouts are unknown, by publication once a week for three (3) successive weeks in the Clearfield Progress, Clearfield, Pennsylvania.

BY THE COURT


John P. King
P. J.

Lap-over Margin

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. May Term, 1961

EDGAR L. STAGE, MAE KLINE
STAGE, his wife and WILLIAM
A. KLINE

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ANY AND ALL PERSONS HAVING
AN INTEREST IN THE PREMISES

COMPLAINT

TO THE WITHIN DEFENDANTS:

You are hereby notified to file defensive pleadings to the within Complaint within twenty (20) days from service hereof.

SMITH, SMITH & WORKS

BY *John C. H. E.* SMITH, SMITH & NOAK

SMITH, SMITH & WORK
ATTORNEYS-AT-LAW
CLEARFIELD, PA.