

MOTION FOR SERVICE BY PUBLICATION

AND NOW comes the Plaintiff, Faust Family Limited Partnership #2, by and through its Attorneys, Pierce & Steirer, LLC, and moves this Honorable Court as follows:

1. Plaintiff in this action is the owner of a parcel of land, in Upper Nazareth Township, Northampton County, being Northampton County Tax Identifier No. J8SW4-11-4, and being part of the Revised Plan of Lots of East End Improvement Co., and recorded in Plan Book Vol. 2, p. 148. A copy of the plan is attached hereto and made a part hereof as Exhibit "A".

2. Defendants are the current owners of the remaining lands of said plan, and approximately two hundred twenty-one (221) in number, the names and addresses of which are attached hereto and incorporated herein as Exhibit "B".

3. Plaintiff received zoning approval to develop its land in 1999.

4. Plaintiff now wishes to add to its development of said real property in general conformity with the aforementioned and attached plan, deviating from the proposed streets and alleys on the Plan so as to allow for development in conformance with the Upper Nazareth Township Zoning and Subdivision Ordinances.

5. Although Defendants were never specifically conveyed any right or interest in the proposed, but heretofore never developed streets and alleys on or adjacent to Plaintiff's real property, Plaintiff is now forced to clear this cloud on its title before being granted zoning/subdivision approval.

6. The cost of serving original process via personal service by the Sheriff in this matter would be excessive and prohibitive given the number of Defendants.

7. Service of notice by publication and posting of the property along the perimeter of

the site in at least ten (10) evenly spaced locations would be effective in that all of the Defendants are owners occupying definite and specific locations within the heretofore developed lands of the Revised Plan of Lots of East End Improvement Co.

8. A copy of the proposed Notice is attached hereto as Exhibit "C".

WHEREFORE, Plaintiff moves this Honorable Court for leave to serve the Complaint, and any subsequent documents, in the above-captioned matter upon Defendants via publication once in The Northampton County Reporter and The Express-Times in the form attached hereto and made a part hereof as Exhibit C, and a posting of the property along the perimeter of the site in at least ten (10) evenly spaced locations.

Respectfully submitted,

PIERCE & STEIRER, LLC

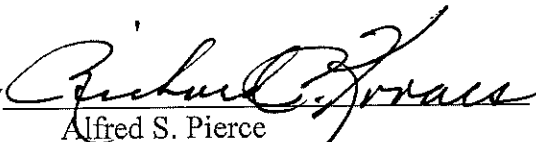
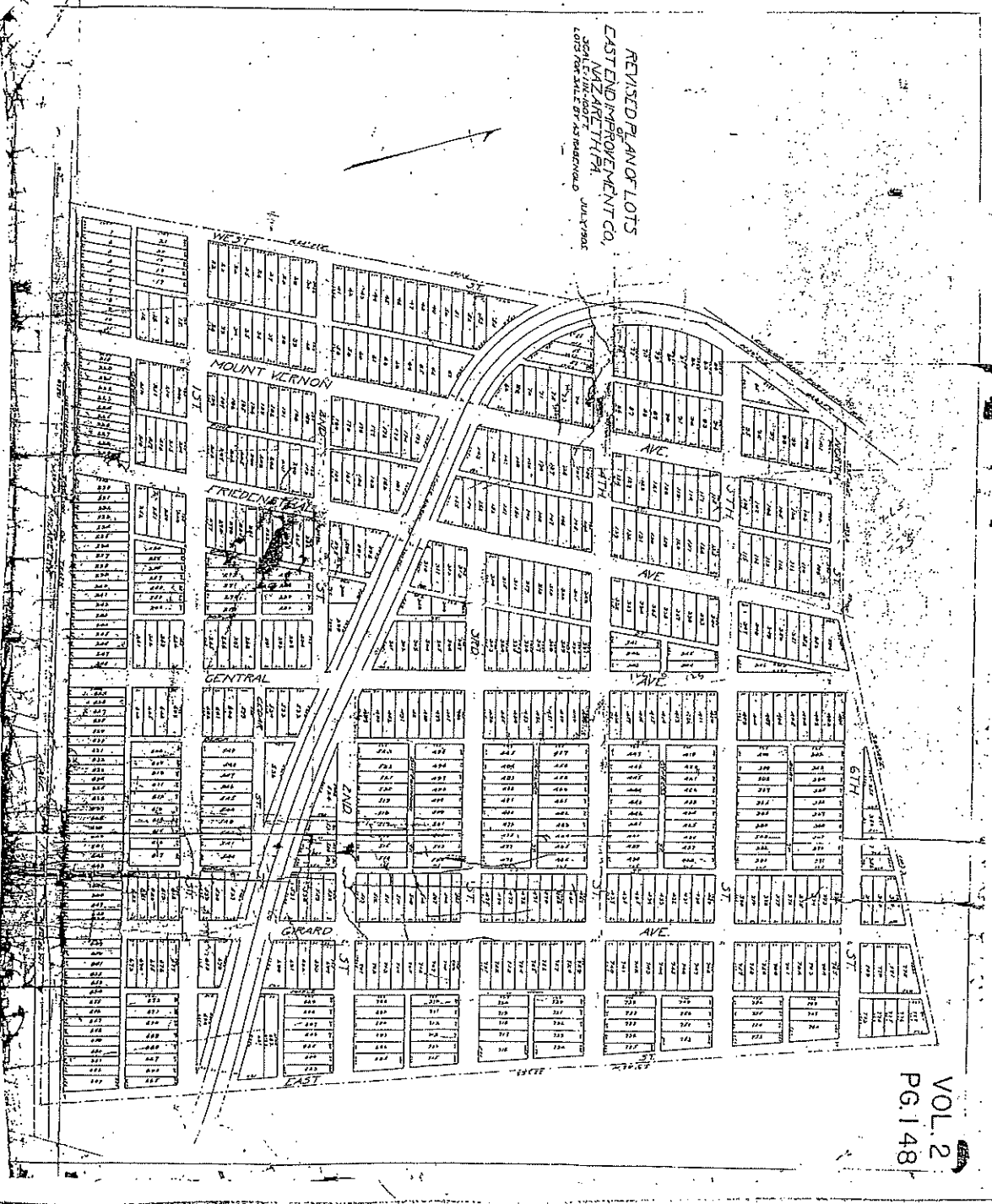
By 
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EXHIBIT “A”

REVISED PLAN OF LOTS
CASTLE IMPROVEMENT CO.
WYOMING
LOTT FOR SALE BY AS BOUNDARY JULY 1900



29

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA
CIVIL DIVISION – LAW

FAUST FAMILY LIMITED PARTNERSHIP #2,
Plaintiff

v.

ACE, KEITH W. and KATHLEEN R. ACE, ET AL.,
Defendants

No. *C-48-CV-2018-11570*

CIVIL ACTION-
QUIET TITLE

ORDER

AND NOW, this *13* day of *Dec* ~~October~~, 2018, upon consideration of Plaintiff's Motion for Service by Publication, it is hereby ORDERED that Plaintiff, Faust Family Limited Partnership #2, may serve the Complaint in the above matter upon the Defendants by publication once in the Northampton County Reporter and The Express-Times in the form attached to the Motion as Exhibit "C" and by posting the property along the perimeter of the site in at least ten evenly spaced locations in the form attached to the Motion as Exhibit "C".

Denied. Follow civil rules!
BY THE COURT:

FPK/

J.
FILED
2018 DEC 13 09
NORTHAMPTON COUNTY, PA