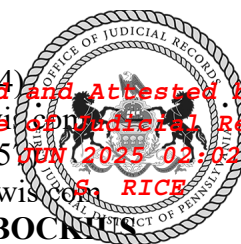


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Attorneys for Plaintiff Norris Square Neighborhood Project

NORRIS SQUARE NEIGHBORHOOD
PROJECT
2141 N. Howard Street
Philadelphia, PA 19122,

Plaintiff,

v.

CORNELIA BITTLE
330 Alligator Place
Venice, Florida 34293

GEORGE JOLLY III
6072 Guy Terrace
The Villages, Florida 32163

JACQUELINE JOLLY
17901 Villa Creek Dr.
Tampa, Florida 33647

CHRISTINE A. KOSCHEWITZ
4666 East Bristol Road
Feasterville Trevose, Pennsylvania 19053

JOHN KOSCHEWITZ
545 Middle Holland Road
Southampton, Pennsylvania 18966

DANIEL LOCKREY
97 Lower Holland Road
Southampton, Pennsylvania 18966

PHILADELPHIA COUNTY
COURT OF COMMON PLEAS
CIVIL TRIAL DIVISION

CIVIL ACTION

_____ TERM 2025

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Philadelphia Bar Association
Lawyer Referral and Information Service
1101 Market Street, 11th Floor
Philadelphia, Pennsylvania 19107-2911
Telephone: (215) 238-6333

AVISO

Lo(a) han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTEMENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Asociación de Licenciados de Filadelfia
Servicio de Referencia e Información Legal
1101 Market Street, 11th Floor
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Teléfono: (215) 238-6333

COMPLAINT – CIVIL ACTION TO QUIET TITLE

1. This is an action to quiet title to real property located at 2245 North 2nd Street, Philadelphia, Pennsylvania 19133 (the “Property”).

The Property

2. The legal description for the Property is more specifically described as follows:

SITUATE on the East side of Second Street at the distance of One hundred forty-eight feet, eight inches, Southward from the South side of Dauphin Street in the Nineteenth Ward of the City of Philadelphia. CONTAINING in front or breadth on the said Second Street, Sixteen feet, four inches, and extending in length or depth Eastward of that width between lines parallel with said Dauphin Street Seventy feet to a certain Three feet wide alley.

3. The recorded deed for the Property is attached hereto as Exhibit A and incorporated by reference as if set forth at length.

4. Upon information and belief, in the mid to late 1970’s, the house on 2245 N. 2nd Street (the Property) was demolished.

5. The Property is one of 21 contiguous lots that make up Las Parcelas, a community garden in the heart of the Norris Square neighborhood that was established by Plaintiff Norris Square Neighborhood Project (“NSNP”) in or before September 1993. *See* Philadelphia Water Department Approved Parcels for Las Parcelas, attached hereto as Exhibit B and provided below (Outlining the Approved Parcels of Las Parcelas in yellow. Green outlining of Property and address added).



Las Parcelas Approved Parcels outlined in yellow, with Property outlining and labeling added

6. Upon information and belief, following the demolition of the house on the Property in the mid to late 1970's until the property became part of Las Parcelas in 1993, the

Property remained a vacant lot. *See* Photograph of the Property after demolition and prior to the completion of Las Parcelas, undated, attached hereto as Exhibit C.

The Parties

7. Plaintiff NSNP is a long-standing, non-profit organization that is “committed to uniting and inspiring the surrounding community through programs aimed at the cultivation of young leaders, the preservation of Puerto Rican cultural heritage, and the stewardship of community land and environmental practices.” *Who We Are*, Norris Square Neighborhood Project, <https://www.mynighborhoodproject.org/who-we-are> (last visited June 26, 2025).

8. NSNP, located at 2141 N. Howard Street in Kensington’s Norris Square neighborhood in Philadelphia, was incorporated as a 501(c)(3) organization in 1977. Since that time, NSNP has worked to restore and preserve urban landscapes and build youth leadership through community events and outreach, arts, cultural programs, and the creation of green space and urban gardens. NSNP currently serves over 110 high school aged youth annually through its afterschool and summer programs. *See* Norris Square Neighborhood Project, *Annual Report* (2024), attached hereto as Exhibit D at 016.

9. NSNP stewards six gardens in the Norris Square neighborhood, each of which represents a unique aspect of Puerto Rican history. Las Parcelas, which includes the Property, is the largest of these gardens. These gardens are vital to NSNP’s work as they provide a cultural hub and a second home to the community and its youth. The gardens allow NSNP to bridge the importance of preserving cultural heritage and land stewardship from the past into the future. In 2024, NSNP recorded 1,131 visitors to its gardens. *See* Exhibit D at 016.

10. According to Exhibit A, the last recorded deed to the Property, dated October 7, 1963 and recorded on October 16, 1963 in Philadelphia County, in CAD Book 32, page 18., Josephine M. Jolly is the owner of record for the Property.

11. Upon information and belief, Josephine M. Jolly died in 1991, vesting title to the Property in her then-living heirs at law: children George Jolly II and Joyce Lockrey, née Jolly.

12. Upon information and belief, George Jolly II died in 2015 and George Jolly III and Jacqueline Jolly are his living heirs at law.

13. Upon information and belief, Joyce Lockrey, née Jolly, is deceased and Cornelia Bittle, Christine A. Koschewitz, John Koschewitz, Daniel Lockrey, Judith Marini, and Corinna Patterson are her living heirs at law.

14. Upon information and belief, Defendant George Jolly III is an adult individual who resides at 6072 Guy Ter, The Villages, Florida 32163.

15. Upon information and belief, Defendant Jacqueline Jolly is an adult individual who resides at 17901 Villa Creek Drive, Bldg 11, Tampa, Florida 33647.

16. Upon information and belief, Defendant Cornelia Bittle is an adult individual who resides at 330 Alligator Place, Venice, Florida 34293.

17. Upon information and belief, Christine A. Koschewitz is an adult individual who resides at 4666 East Bristol Road, Feasterville Trevose, Pennsylvania 19053.

18. Upon information and belief, John Koschewitz is an adult individual who resides at 545 Middle Holland Road, Southampton, Pennsylvania 18966.

19. Upon information and belief, Defendant Daniel Lockrey is an adult individual who resides at 97 Lower Holland Road, Southampton, Pennsylvania 18966.

20. Upon information and belief, Defendant Judith Marini is an adult individual who resides at 13 Sparrow Walk, Newtown, Pennsylvania 18940.

21. Upon information and belief, Defendant Corinna Patterson is an adult individual who resides at 3239 Village Lane, Port Charlotte, Florida 33953.

22. Upon information and belief, Defendants Any and All Unknown Heirs of the Estate of Josephine M. Jolly, if they exist, are adult individuals whose current whereabouts are unknown.¹

23. Defendants have not been seen on the Property or otherwise used the Property for over 30 years.

24. NSNP is unaware of any other person or entity other than itself or the Defendants who may attempt to claim title to the Property.

Venue and Jurisdiction

25. Venue lies in this Court pursuant to Pa. R. Civ. P. 1062 because this action stems from occurrences that took place in Philadelphia County and concerns real property located in Philadelphia County.

26. This Court has jurisdiction over each of the Defendants because the action concerns title to real estate located in Philadelphia County.

¹ A personal representative for the Estate of Josephine M. Jolly need not be named as a defendant in this pleading because more than 21 years have passed since the death. *See* 20 Pa.C.S. § 3152, prohibiting the grant of letters by the register “after the expiration of 21 years from the decedent’s death, except on the order of the court, upon cause shown”. Instead, Plaintiff names as defendants the heirs of the estate as title holders by operation of law. *See* 20 Pa.C.S. § 301(b) (“Legal title to all real estate of a decedent shall pass at his death to his heirs or devisees, subject, however, to all the powers granted to the personal representative by this title and lawfully by the will and to all orders of the court”); *see also N. Forests II, Inc. v. Keta Realty Co.*, 130 A.3d 19, 30 (Pa. Super. Ct. 2015), (“The complaint must name the successor in interest individually, not merely . . . within the category of heirs and assigns.” (citation modified)).

NSNP and the Norris Square Neighborhood

27. NSNP was founded in 1973 by two educators, Natalie Kempner and Helen Loeb. At the time of NSNP's founding, the Norris Square neighborhood was facing many challenges including the loss of manufacturing jobs and an epidemic of drug dealing. As a result, many residents left the neighborhood—abandoning their homes, closing businesses, and leaving behind vacant homes and buildings. Drug dealers took advantage of this exodus, and “[b]y the mid-1980s, . . . the lots that are now Las Parcelas hosted one of the largest open-air cocaine and heroin markets in Philadelphia.” Michael Nairn & Domenic Vitiello, *Lush Lots: Everyday Urban Agriculture*, 31 Harv. Design Mag. 1, 5 (Fall/Winter 2009/10).

28. Throughout the next two decades, NSNP worked alongside community volunteers to reclaim their neighborhood and create safe spaces for their youth by transforming open-air drug markets, abandoned homes and buildings, and vacant lots into community gardens and gathering spaces. In 1985, Iris Brown and Tomasita Romero, both long-time volunteers and staff members of NSNP, along with the founders of the NSNP gardens, began clearing trash strewn lots to start what would become the garden known as Las Parcelas.

29. NSNP's efforts did not go unnoticed. In 1988, the Pennsylvania Horticultural Society (“PHS”) approved NSNP's application to make a 20-block section of the Norris Square neighborhood, including the Property, a “Greene Countrie Towne.” *See* The Norris Square Greene Countrie Towne Site Development & Education, Plan for 1993-1994, attached hereto as Exhibit E.

30. PHS's Greene Countrie Towne initiative was created as a response to an overwhelming interest in “greening” neighborhoods throughout the City of Philadelphia. Greene Countrie Townes were selected based on an organization's commitment to revitalizing

neighborhoods through the preservation of gardens and green spaces. PHS approved NSNP's 1988 application for a multitude of reasons, including the fact that it "is an active and well organized group, focussing [sic] much of its efforts on children and the environment." *See* Exhibit E at 026.

31. Through the Greene Countrie Towne program, PHS provided the Norris Square neighborhood and NSNP much needed financial and organizational support to preserve and green vacant lots and for future development projects and programs, including the completion of Las Parcelas.

NSNP's Completion of Las Parcelas

32. According to PHS records, as of February 1993, Las Parcelas was initially comprised of 2236-2264 N. Palethorp Street. *See* Exhibit E at 027. At that time, the Property was encompassed in an abutting space called Environmental Park. Exhibit E at 027. NSNP, with assistance from PHS, planned to develop Environmental Park into "an inner city forest with trees, shrubs, [and] a walking trail," and combine it with Las Parcelas by September 1993. Exhibit E at 027; *see also* PHS's New Sidewalk Plan for Las Parcelas, attached hereto as Exhibit F.

33. That plan was executed and by September 1993, Las Parcelas was expanded to include surrounding garden parcels, including Environmental Park (and the Property) and Norris Square was officially dedicated as a Greene Countrie Towne. *See* PHS's Philadelphia Green News, Vol. 15, No. 9, November 1993, attached hereto as Exhibit G; *see also* Photograph of a Greene Countrie Towne plaque presented to Norris Square by PHS on September 17, 1993, attached hereto as Exhibit H.

34. As PHS noted, NSNP, “a primary force in neighborhood greening,” worked alongside community volunteers and PHS for years to help the Norris Square neighborhood “overcome drugs, neglect, and decay” and complete the transformation of its “vacant lots into gardens.” Exhibit G at 034. On September 17 and 18, 1993, the two-day celebration for the Greene Countrie Towne dedication was held in Las Parcelas. *See* Exhibit G at 034. By that point, Las Parcelas was a thriving community garden and gathering space, growing many vegetables indigenous to Puerto Rico that were not easily found in the United States.

35. The magnitude of NSNP’s accomplishments was further emphasized by the City of Philadelphia’s Office of Housing and Community Development’s (OHCD) coverage of Norris Square’s dedication as a Greene Countrie Towne. *See* Excerpt of OHCD Bulletin, September/October 1993, attached hereto as Exhibit I. In its September/October 1993 Bulletin, the OHCD commended NSNP’s efforts to “transform[] vacant lots into gardens and murals that reflect the Puerto Rican heritage of its residents” and showcased its support to NSNP in providing \$20,000 for new curbs and sidewalks surrounding Las Parcelas. *See* Exhibit I at 040 for photographs of Las Parcelas before and after the installation of new curbs and sidewalks.

36. After Norris Square’s dedication as a Greene Countrie Towne, Mural Arts Philadelphia painted the *Wall of Neighborhood Heroes* mural in Las Parcelas to honor the members of the community that helped to clean and beautify the neighborhood. *See* Jane Golden, Robin Rice, & Monica Yant Kinney, *Philadelphia Murals and the Stories They Tell* 70 (2002) (“Jane didn’t travel far to paint her first major mural. The *Wall of Neighborhood Heroes* (2nd Street, between Dauphin Street and Susquehanna Avenue, 1993 . . .).”). The mural, which was started and completed in late 1993, was painted on a wall that is located two parcels away from

the Property. *See* Photograph of the *Wall of Neighborhood Heroes* mural taken from the vantage point of the Property, undated, attached hereto as Exhibit J.

37. As is evident in photographs, when the *Wall of Neighborhood Heroes* mural was being painted in 1993, the Property, as part of the “inner city forest” planned by NSNP and PHS, contained a walking path and a tree, which remain to this day. *See* 1993 Photograph of Las Parcelas taken from Palethorp Street at the beginning stages of the *Wall of Neighborhood Heroes* mural, attached hereto as Exhibit K; *see also*, Photographs of Las Parcelas taken from 2nd Street, attached hereto as Exhibit L; Current Photograph of the Property containing a walking path and a tree, attached hereto as Exhibit M; Screenshot of Google Maps showing Las Parcelas from 2nd Street, image captured in March 2023, attached hereto as Exhibit N.

38. Moreover, as depicted in a 1993 photograph, the Property was fully fenced in and encompassed into Las Parcelas by the time Mural Arts had begun their work in the Fall of 1993. *See* Exhibit K, attached and provided below.



Photograph of Las Parcelas as the Wall of Neighborhood Heroes was being painted, 1993

39. The *Wall of Neighborhood Heroes* mural provided an important final touch to the completion of Las Parcelas. The mural “holds a place of honor in the community” and “no one dares alter the heroes wall . . . [or] would even think of littering near it.” Marjorie Valbrun, *Everyday Heroes Get a Place of High Honor: A Mural Celebrates Those Who Cleaned Lots and Planted Gardens*, The Phila. Inquirer, Mar. 6, 1995, attached hereto as Exhibit O at 054.

Las Parcelas Through the Years

40. Since its completion in 1993, Las Parcelas, as the largest of NSNP’s gardens, has been an important gathering space for the community, hosting events and cultural workshops. Las Parcelas also serves as a cultural anchor for the neighborhood with a replica of a rural Puerto Rican house that is curated by local elders and residents, called La Casita de Abuela.

41. However, at its heart, Las Parcelas remains a community garden that continues to give neighborhood residents access to green space and fresh and culturally relevant produce. One study estimated that Las Parcelas produced approximately \$6,225 worth of tomatoes across its 38 garden plots in 2008. *See* Domenic Vitiello & Michael Nairn, *Community Gardening in Philadelphia, 2008 Harvest Report*, 17 Penn Planning and Urban Studies, (Oct. 2009). Today, the gardeners in Las Parcelas continue to plant, grow, and harvest crops in 31 raised beds. This produce then gets distributed to the neighborhood residents as needed. Any interested local gardener can submit an application to NSNP to be approved for a plot in Las Parcelas.

42. While understanding the importance of Las Parcelas to the community, NSNP has always maintained control over the access to the space. Members of the public may visit Las Parcelas during operating hours but only with the approval of NSNP staff in advance of the visit. NSNP has maintained a locked fence surrounding Las Parcelas throughout the past three decades

and only NSNP staff, and those individuals that are given permission by NSNP staff, have the combinations to the locks. *See, e.g.*, Current photograph of Las Parcelas with updated fencing taken from 2nd Street, November 2024, attached hereto as Exhibit P; Exhibit L; Exhibit N. NSNP goes through great measures to maintain and update its fencing and even ensures that the fencing allows for ADA accessibility. Finally, while NSNP often hosts events, classes, and cultural workshops for the community in Las Parcelas, all non-NSNP staff must go through an application process to receive approval from NSNP to hold an event in Las Parcelas.

43. Throughout the past three decades, Las Parcelas has been, and continues to be, vital to NSNP's mission to unite and inspire youth and families using the strengths of the community. Las Parcelas was featured in NSNP's celebrations for their 25th anniversary (in 1999), 35th anniversary (in 2008), and 50th anniversary (in 2023). *See* Programs for NSNP's anniversary celebrations, attached hereto as Exhibit Q. Las Parcelas was central to NSNP's Urban Garden Program Strategic Plan from March 2012, which touted the strength of Las Parcelas as being "well-respected and known in the gardening community." Norris Square Neighborhood Project, *Urban Garden Program Strategic Plan* (2012), attached hereto as Exhibit R at 103.

44. NSNP's board meeting minutes over the years highlight and address important issues relating to Las Parcelas, including planting plans, plumbing, light installations, entrance in City Gardens Contests, and recognition by PHS. *See, e.g.*, NSNP *Redacted* Board Meeting Minutes, November 17, 2004, attached hereto as Exhibit S; NSNP *Redacted* Board Meeting Minutes, September 19, 2007, attached hereto as Exhibit T; NSNP *Redacted* Board Meeting Minutes, June 30, 2009, attached hereto as Exhibit U; NSNP *Redacted* Board Meeting Minutes, April 17, 2014, attached hereto as Exhibit V; NSNP *Redacted* Board Meeting Minutes,

September 27, 2018, attached hereto as Exhibit W; NSNP *Redacted* Board Meeting Minutes, May 15, 2019, attached hereto as Exhibit X.

45. Since the approval of NSNP's Greene Countrie Towne application in 1988, PHS's support of NSNP and Las Parcelas has been unwavering. Throughout the decades, NSNP has received many awards and accolades from PHS for Las Parcelas. As PHS itself has highlighted in its gardening magazine in 2001, "Las Parcelas, a high-profile example of the power of community gardening, has been a consistent winner in the Pennsylvania Horticultural Society's City Gardens Contest." John Gannon, *Dreams, A Visit to Iris Brown's Inspiring City Garden*, The Green Scene, June 2001, at 25, <https://archive.org/details/greenscene2916edpr/page/n130/mode/1up?q=parcelas>; see also 1998 City Gardens Contest Second Prize awarded to Las Parcelas: Iris Brown & Neighbors by PHS, attached hereto as Exhibit Y; 2002 City Gardens Contest Second Place award to Las Parcelas, Iris Brown & Neighbors, attached hereto as Exhibit Z; Exhibit S at 141 ("For the past five years, the Pennsylvania Horticultural Society has recognized our main gardens [including Las Parcelas] with first place City Wide gardening prizes."); Exhibit R at 103 ("Las Parcelas has won many awards from Philadelphia Green (Philadelphia Horticultural Society).").

**NSNP's Use of the Property is
Continuous, Open, Notorious, Adverse, and Exclusive**

46. NSNP has continuously used the Property since at least September 1993.
47. NSNP has exclusively possessed the Property since at least September 1993.
48. At no time did Defendants give NSNP or anyone acting on NSNP's behalf permission to use the Property, nor did Defendants interfere with NSNP's use of the Property.
49. NSNP's use of the Property as part of Las Parcelas was continuous, open, notorious, adverse, and exclusive at all times since at least September 1993.

50. NSNP claims title to the Property by virtue of its continuous, open, and notorious possession of the Property exclusively and adverse to all other persons and entities having any claims or interests therein, including the Defendants.

51. NSNP's claim to the Property by adverse possession is more than 21 years old, which is the period for title by adverse possession under Pennsylvania law, according to the statute of limitations recited in 42 Pa. C.S. § 5530(a)(1) that limits a claim for possession of real property to 21 years.

WHEREFORE, Plaintiff NSNP prays as follows:

- A. For a decree of this Court determining all adverse claims of Defendants and all persons claiming under them.
- B. For said decree to declare and adjudge that Plaintiff NSNP owns absolutely and is entitled to the quiet and peaceful possession of the Property and that Defendants and all persons claiming under them have no estate, right, title, lien, or interest in or to said premises, and that title to the Property be quieted in Plaintiff NSNP against all claims of Defendants and all persons claiming under them.
- C. For said decree to direct the Recorder of Deeds of Philadelphia County to execute the deed attached as Exhibit AA on behalf of Plaintiff NSNP, so that the deed can be recorded to properly reflect the exclusive ownership of the Property in the name of Plaintiff NSNP.
- D. For the costs of this action and for such other relief that this Court deems necessary and proper.

Date: June 27, 2025

/s/ Diana Cortes

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*Attorneys for Plaintiff Norris Square
Neighborhood Project*

VERIFICATION

I, Andria Bibiloni, verify that I am the Executive Director of Norris Square Neighborhood Project, Plaintiff in the within action, and that I am authorized to make this Verification on behalf of Plaintiff and that the statements contained in the foregoing Complaint are true and correct to the best of my knowledge, information, and belief. These statements are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

June 27, 2025 _____
Date



Andria Bibiloni