

01-578-CD
DANIEL J. SMITCHEKO et ux -vs- MORTON BUILDINGS INC.

STIPULATION AGAINST LIENS

<u>DANIEL J. SMITCHKO and</u>	:	In the Court of Common Pleas, County of
Homeowner	:	
<u>KIMBERLY A. SMITCHKO, his wife</u>	:	<u>Clearfield, Pennsylvania</u>
Homeowner	:	
vs.	:	Number _____ Term, 2001
	:	01-578-00
<u>MORTON BUILDINGS INC.</u>	:	
Contractor	:	

WHEREAS, **DANIEL J. SMITCHKO** and **KIMBERLY A. SMITCHKO**, his wife, currently of RR 1 Box 215A, Morrisdale, Clearfield County, Pennsylvania, 16858, about to execute contemporaneously herewith, a contract, with **MORTON BUILDINGS INC.** of Route 45, Centre Hall, Pennsylvania, 16828 for the construction of home improvements to a residential building upon premises situate in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain tract, piece or parcel of land situate in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at a post on public road at the corner of land now or formerly of Leader Brothers; thence by line of said road the following courses and distances, South 66° 15' East, six hundred and eight (680) feet to a post; thence South 73° 15' East five hundred fifteen (515) feet to a post; thence South 77° East two hundred and twenty nine (229) feet to a post; thence South 78° 20' East eight hundred and thirty three (833) feet to post; thence South 79° East, eleven (11) feet to post and corner of land conveyed by Martha Raymond and August Raymond, her husband, to George Veihdeffer by deed dated the 16th day of May, 1922, and recorded in Clearfield County in Deed Book Volume 264, Page 267; thence along said Veihdeffer line South 6° 24' West, seven hundred and eighty three (783) feet to land formerly of Fred Berg Estate; thence along said land formerly of Fred Berg Estate North 83° 30' West, two thousand two hundred fifteen and five tenths (2215.5) feet to a post; thence by land now or formerly of Leader Brothers, North 6° 5' East, one thousand one hundred and ninety eight and six tenths (1198.6) feet to a post on public road and place of beginning.

CONTAINING forty seven (47) acres and thirty nine (39) perches, and being a part of the same premises which the heirs of John Veihdeffer conveyed to Martha Raymond by deed dated the 26th day of April, 1922, and recorded in Clearfield County in Deed Book 257 at Page 99.

BEING the same premises as vested in Daniel J. Smitchko and Kimberly A. Smitchko, his wife by deed of John B. Graffius and Isabelle Graffius, his wife and Florence Rothrock, a widow, dated the 8th day of July, 1994, and recorded in the Office of the Recorder of Deeds of Clearfield County to Deed Book 1618 at Page 14.

FILED

APR 23 2001

William A. Shaw
Prothonotary

NOW, this 16th day of APRIL, 2001, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **DANIEL J. SMITCHKO** and **KIMBERLY A. SMITCHKO**, his wife, to the said **MORTON BUILDINGS INC.**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **DANIEL J. SMITCHKO** and **KIMBERLY A. SMITCHKO**, his wife, and the further consideration of One Dollar, to **MORTON BUILDINGS INC.**, paid by **DANIEL J. SMITCHKO** and **KIMBERLY A. SMITCHKO**, his wife, it is agreed that no lien shall be filed against the building by the contractor, or any sub-contractor, nor by any of the material men or workmen or any other person for any labor, materials purchased for the erection of said building, the right to file such liens being expressly waived.

WITNESS, our hands and seals the day and year aforesaid.

SIGNED AND SEALED IN THE PRESENCE OF:

Daniel J. Smithko
(a to all)

Daniel J. Smithko
Daniel J. Smithko Homeowner

Kimberly A. Smithko
Kimberly A. Smithko Homeowner

Bill Shancha Mgr
Morton Buildings Inc. Contractor

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William A. Shaw
Prothonotary

pd \$30.00

no cc