

01-800-CD

FRED FLEGER etal -vs- DALE A. KESSLER etal

JOHN R. LHOTA, P.C.
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

81-808-12

Lap over margin

FILED

MAY 27 2001

William A. Shaw
Prothonotary

zcc - Lhota
PL - 8120.00

RELEASE OF MECHANIC'S LIEN

01-800-CD

THIS RELEASE OF MECHANIC'S LIEN is made, executed and delivered as of this 23rd day of May, 2001, by and from FRED FLEEGER, an adult individual, t/a FLEEGER CONTRACTING, a sole proprietorship, whose address is 222 South Church Street, DuBois, Pennsylvania 15801, hereinafter referred to as "Contractor";

T O

DALE A. KESSLER and MARIE A. KESSLER, husband and wife, whose address is R.R, 1, Box 15C, DuBois, Pennsylvania 15801, hereinafter referred to as "Owners".

WHEREAS, Contractor has, prior to the date of this release of mechanic's lien, erected and constructed certain improvements and/or furnished materials to Owners for the erection and construction of certain improvements, in and upon premises which are located and situated in Sandy Township, Clearfield County, Pennsylvania, and are more fully described in Exhibit A which is attached hereto and made a part hereof (hereinafter referred to as the "Subject Premises"); and

WHEREAS, Contractor has agreed to release all liens which Contractor may now have or hereafter may have with respect to the Subject Premises, with the appurtenances thereto, by reason of materials furnished or to be furnished, or work performed or to be performed by Contractor for and towards the erection and construction of the aforesaid improvements.

FILED
MAY 26 2001

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NOW, THEREFORE, WITNESSETH THAT:

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, Contractor does hereby remise, release and forever quit-claim and by this release of mechanic's lien does hereby remise, release and forever quit-claim unto Owners, their heirs, successors and/or assigns, forever, all and any manner of liens, claims and demands whatsoever, including, without limitation, the right to lien or claim a mechanic's lien, which Contractor now has or might or could have on or against the Subject Premises for work done or to be done, or materials furnished or to be furnished by Contractor for the erection and construction of the aforesaid improvements, so that Owners, their heirs, successors and/or assigns shall have, hold and enjoy the Subject Premises freed and discharged from all liens, claims or demands whatsoever, which Contractor now has or might have in the future on or against the Subject Premises, if this release of mechanic's lien were not made.

IN WITNESS WHEREOF, FRED FLEEGER, an adult individual, t/a FLEEGER CONTRACTING, a sole proprietorship, has executed and delivered this release of mechanic's lien as of the day and year first above written.

WITNESS:

FRED FLEEGER, t/a
FLEEGER CONTRACTING,
A SOLE PROPRIETORSHIP

By: _____


Fred Fleeger, Sole Proprietor

EXHIBIT A
TO RELEASE OF MECHANIC'S LIEN
FROM FRED FLEEGER t/a
FLEEGER CONTRACTING, A SOLE PROPRIETORSHIP
TO DALE A. KESSLER and MARIE A. KESSLER

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

BEGINNING at a 1" iron pipe set at the Southwestern most corner of the land hereby conveyed, said iron pipe being South 00° 30' West, 759.0 feet from an existing iron pin found at the Northwestern most corner of the lands of Howard and Gloria Kessler, and said iron pipe also being in the Western most line of the lands of Howard and Gloria Kessler and the Eastern most line of the lands of Leonard and Isabelle Kessler and running thence South 44° 11' East 422.1 feet along the lands of Howard and Gloria Kessler to a 1" iron pipe set at the Southeastern most corner of the land hereby conveyed; thence North 01° 05' East 290.0 feet along the lands of Kenneth Shaffer to a 1" iron pipe set at the Northeastern most corner of the land hereby conveyed; thence North 67° 25' West 338.7 feet along the lands of Howard and Gloria Kessler to a 1" iron pipe set at the Northwestern most corner of the land hereby conveyed; thence South 00° 30' West 103.0 feet along the lands of John and Beryl Kelly and the lands of Leonard and Isabelle Kessler to a 1" iron pipe set at the Southwestern most corner of the land hereby conveyed and the point of beginning. Containing 1.42 acres as shown on plot plan hereto attached and made a part hereof.

TOGETHER WITH all and singular, an easement for a roadway or driveway to and from the aforesaid premises and Township Road T-373, which roadway shall be eighteen feet in width, the centerline of which is bounded and described as follows:

BEGINNING at a point bearing North 00° 30' East 9.0 feet from the Southwestern most corner of the above described parcel and running thence North 80° 50' West 185.8 feet along the centerline of an 18 foot wide right of way to a point of curvature; thence along the arc of a circle curving to the right an arc distance of 80.68 feet having a radius of 51.61 feet and a chord bearing North 35° 07' West 73.3 feet to a point of tangency in the centerline of an 18 foot wide right of way; thence North 10° 06' East 127.5 feet along the centerline of an 18 foot wide right of way to the end of a tar a chip surface of T-373.

BEING the same premises which Howard P. Kessler and Gloria A. Kessler, husband and wife, granted and conveyed to Dale A. Kessler and Marie A. Kessler, husband and wife, under a deed dated January 15, 1988 which is recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deeds and Records Book 1205, Page 334. The aforesaid right of way was granted to the said Dale A. Kessler and Marie A. Kessler, husband and wife, under a right of way agreement dated January 15, 1988 from Leonard Kessler and Isabell Kessler, husband and wife, to Dale A. Kessler and Marie A. Kessler, husband and wife, which is recorded in the above mentioned Office in Deeds and Records Book 1205, Page 339.