

01-925-CD
MICHAEL W. OWENS & SONS CUSTOM HOMES -vs- JOHN L. FARNEH. JR.
et ux

STIPULATION AGAINST LIENS

THIS AGREEMENT, made the 6th day of June, 2001, by and between MICHAEL W. OWENS & SONS CUSTOM HOMES, of R. R. 2, Box 310A, Route 322 East, Clearfield, Pennsylvania, hereinafter referred to as "CONTRACTOR",

AND

JOHN L. FARNETH, JR. and SHARI L. FARNETH, husband and wife, of R. D. 2, Box 242, Curwensville, Pennsylvania, hereinafter referred to as "OWNER",

whereby the former undertook and agreed to construct a home on that certain lot of ground situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

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

BEGINNING at a set $\frac{3}{4}$ " iron rebar in the western right-of-way line of Township Road No. T-504 (now: T-209, Schoolhouse Hill Road), said rebar being the southern corner of the property described herein; thence along Lot 9, N 52° 19' 33" W, a distance of 139.29 feet to a set $\frac{3}{4}$ " iron rebar; thence along Lot 8, N 52° 19' 33" W, a distance of 231.35 feet to a set $\frac{3}{4}$ " iron rebar; thence along Lot 6, N 0° 00' 00" W, a distance of 87.83 feet to a set $\frac{3}{4}$ " rebar; thence still along Lot 6, N 53° 31' 47" E, a distance of 258.30 feet to a set $\frac{3}{4}$ " iron rebar on the western right-of-way line of S.R. 2041; thence along said right-of-way line the following courses and distances: S 35° 54' 59" E, 142.13 feet to a point; S 37° 21' 56" E, 71.35 feet to a point; S 48° 29' 21" E, 42.87 feet to a point; S 69° 01' 48" E, 40.11 feet to a point; S 86° 25' 08" E, 21.75 feet to a point on the aforementioned western right-of-way line of Township Road No. T-504 (now: T-209, Schoolhouse Hill Road); thence along said right-of-way line the following courses and distances: S 28° 45' 00" W, 84.18 feet to a point; S 27° 15' 40" W, 200.41 to a set $\frac{3}{4}$ " iron rebar, the place of beginning. Containing 2.38 acres.

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William A. Shaw
Prothonotary

Being shown as Lot 7 on a plan titled, "Final Plan, Consolidation and Subdivision of Land of Michael P. Malloy, Pike Township, Clearfield County", as prepared by Hess & Fisher Engineers, Inc., dated April 3, 1999, Clearfield County Map File No. 1777, recorded May 4, 1999.

NOW THEREFORE, THIS AGREEMENT WITHNESSETH: That the said CONTRACTOR, for and in consideration of the sum of One (\$1.00) DOLLAR to Contractor in hand paid by OWNERS, the receipt whereof is hereby acknowledged, and further consideration mentioned in the agreement aforesaid, for themselves and their subcontractors, and all parties acting through or under them, covenant and agree that no mechanic's liens or claims shall be filed or maintained by them or any of them against the said buildings and the lot of ground appurtenant thereto for or on account of any work done or materials furnished by them or any of them under said contract or otherwise, for, towards, in, or about the erection and construction of the said buildings on the lot above described, and the said CONTRACTOR, for himself, his subcontractors and others under them hereby expressly waive and relinquish the right to have, file, and maintain any mechanic's liens or claims against the said buildings or any of them, and agree that this instrument, waiving the right of lien, shall be an independent covenant.

WITNESS, our hands and seals this 6th day of June, 2001.

Signed, Sealed and Delivered
in the presence of

WITNESS:

Robert M. Golin

MICHAEL W. OWENS & SONS
CUSTOM HOMES

By Michael W. Owens, Sr.
Michael W. Owens, Sr.

Linda C. Lewis

John L. Farneth, Jr.
John L. Farneth, Jr.

as to lot 7

Shari L. Farneth
Shari L. Farneth

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Prothonotary

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