

01-1008-CD
EARL KILLION et al -vs- S & A HOMES

RECEIVED JUN 20 2001

STIPULATION AGAINST LIENSEARL KILLION

Homeowner

MARY LOU KILLION

Homeowner

vs.

S & A HOMES

Contractor

In the Court of Common Pleas, County of

Clearfield

Pennsylvania

Number _____ Term, 2001

01-1008 CO

WHEREAS, **EARL KILLION AND MARY LOU KILLION**, his wife, currently of RR 1, Box 117, West Decatur, Pennsylvania, 16878, about to execute contemporaneously herewith, a contract, with **S & A HOMES**, 800 N Science Park Road, State College, Pennsylvania, 16803, for the construction of a residential building upon premises situate in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain parcel or tract of land situate, lying and being in the Village of Allport, Morris Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

THE FIRST THEREOF: BEGINNING at a point on an Old Township Road (T-699), known as Pine Street; thence South 66° East a distance of five hundred fifty (550') feet more or less to a point; thence South 9° West a distance of five hundred eighty-two (582') feet, more or less, to a point; thence North 63° West a distance of two hundred twenty-eight (228') feet, more or less, to a point, on the road aforesaid; thence North along the courses and distance of the road a distance of six hundred twenty-seven (627') feet, more or less, to a point and place of beginning.

EXCEPTING AND RESERVING THEREFROM: BEGINNING at a point, said point being on the Eastern right-of-way line of Township Road No. T-699 (Pine Street) and the Southern right-of-way line of S. R. 2032 (Maple Street); thence South along the Township Road approximately 840 feet to an iron pipe the place of beginning of lot to be conveyed; thence along line of lot conveyed to now or formerly Edward J. and Rebecca L. Sutton, S 85° 12' 38" East a distance of 198.08 feet to an iron pipe corner at the end of a 33 foot right-of-way and on line of lands of now or formerly Thomas and Doris A. Sutton of which this is a part; thence along line of lands of Thomas and Doris A. Sutton S 18° 58' 26" West a distance of 160.29 feet to an iron pipe corner; thence still be same S 61° 41' 58" East a distance of 194.57 feet to an iron pipe corner; thence still by same S 61° 41' 58" East a distance of 194.57 feet to an iron pipe corner on line of lands of now or formerly Donald L. And Ellen D. Kolesar; thence along line of lands of said Kolesar S 26° 43' 17" West a distance of 230.00 feet to an old iron pin corner on line of lands of now or formerly Robert Cromshaw; thence along line of lands of said Cromshaw N 61° 41' 58" West a distance of 227.95 feet to an old iron pipe corner on the Eastern right-of-way line of Township Road No. T-699 (Pine Street); thence along the Eastern right-of-way line of Township Road No. T-699 (Pine Street) N 1° 59' 42" West a distance of 357.94 feet to an iron pipe corner

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William A. Shaw
Prothonotary

the place of beginning. **CONTAINING 2.04 acres.**

BEING the same premises as vested unto Robert J. Sabol and Bonnie J. Sabol, his wife, by deed of Thomas Sutton and Doris A. Sutton, his wife, and recorded in Clearfield County Deed Book Volume 1443 at Page 459.

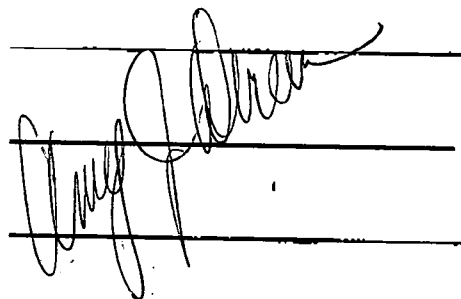
THE SECOND THEREOF: BEGINNING at a point, said point being the eastern right-of-way line of Township Road No. T-699 (Pine Street) and the Southern right-of-way line of S. R. 2032 (Maple Street); thence South along the Township Road approximately 664 feet to an iron pipe, the place of beginning of lot to be conveyed. Thence along the southern side of a proposed 33 foot right-of-way S 86° 31' 53" E a distance of 143.54 feet to an iron pipe corner; thence still by the Southern side of a proposed 33 foot right-of-way S 66° 04' 00" E a distance of 118.94 feet to an iron pipe corner; thence along the western side of a proposed 33 foot right-of-way S 18° 58' 26" W a distance of 143.16 feet to an iron pipe corner on line of lands of now or formerly Thomas and Doris A. Sutton of which this is a part; thence along line of lands of said Sutton N 85° 12' 38" W a distance of 198.08 feet to an iron pipe corner on the eastern right-of-way line of Township Road No. T-699 (Pine Street); thence along the eastern right-of-way line of Township Road T-699 (Pine Street) N 2° 37' 27" W a distance of 175.97 feet to an iron pipe, the place of beginning. **CONTAINING 0.887 acres.**

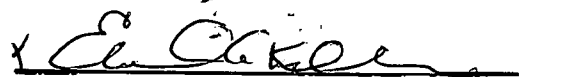
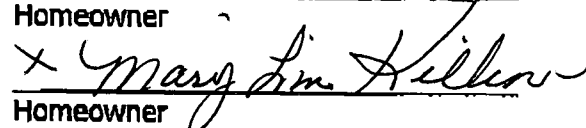
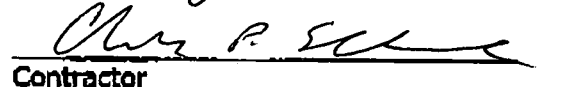
BEING the same premises as vested unto Earl Killion and Mary Lou Killion, his wife, by a deed dated December 2, 1999 and recorded to Clearfield County Instrument #199919863.

NOW, *June 21*, 2001, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **EARL KILLION AND MARY LOU KILLION**, his wife, to the said **S & A HOMES**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **EARL KILLION AND MARY LOU KILLION**, his wife, and the further consideration of One Dollar, to **S & A HOMES**, paid by **EARL KILLION AND MARY LOU KILLION**, 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:




Homeowner

Homeowner

Contractor

FILED

JUN 22 2001

W.D. 11:00 / Atty Thompson
William A. Shaw
Prothonotary

PD 420.00

NO CC