

01-2052-CD  
BRUCE LONGWILL et al -vs- MUTH & BICKEL CONSTRUCTION

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRUCE LONGWILL and  
LORRAINE LONGWILL,  
Owners/Plaintiffs

vs.

MUTH & BICKEL CONSTRUCTION,  
Contractor/Defendant

No. 01-2052-CD

**CONTRACTOR'S WAIVER OF LIEN**

It is understood and agreed that MUTH & BICKEL CONSTRUCTION of R.D. #4, Box 419A, DuBois, Pennsylvania, (Contractor) will not file any Mechanic's Lien Claim or similar encumbrance for labor, material, or services furnished pursuant to a contract for the construction of a dwelling house on premises of BRUCE LONGWILL and LORRAINE LONGWILL (Owners) located in Huston Township, Clearfield County, Pennsylvania, described on the attached Exhibit "A".

It is further understood that the execution of this agreement shall bind the undersigned Contractor, any subcontractors dealing through him, any materialmen, or any other person providing services through any contract or agreement with the said Contractor or the said Owners.

The Contractor does hereby verify that on this date no work or services have been performed pursuant to the Construction Agreement, and no deliveries have been made to the Owners' premises.

**FILED**

DEC 27 2001

William A. Shaw  
Prothonotary

IN WITNESS WHEREOF, the parties have hereunto set  
their hands and seals this 20<sup>th</sup> day of December, 2001.

WITNESS:

Barbara A. Bowser  
(as to all)

Bruce Longwill  
Bruce Longwill

Lorraine Longwill  
Lorraine Longwill

MUTH & BICKEL CONSTRUCTION

By: Jeff Muth  
Jeff Muth

Justin Bickel  
Justin Bickel

# DEED

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200105670

RECORDED ON  
APR 23, 2001  
3:51:43 PM

RECORDING FEES - \$16.00  
RECORDER  
COUNTY IMPROVEMENT \$1.00  
IND  
RECORDER \$1.00  
IMPROVEMENT FUND  
STATE WRIT TAX \$0.50  
TOTAL \$18.50

CUSTOMER  
FERRARACCIO & NOBLE

MADE the 18 day of April, 2001, between **NICHOLAS FRANCIS**

**DILULLO, JR.** and **MARY J. DILULLO**, his wife of R.D. #3, Box 251-B, DuBois, Clearfield

County, Pennsylvania 15801, and **LORRAINE ANNE LONGWILL** and **BRUCE JAMES**

**LONGWILL**, her husband, of R.R. #1, Box 155-A, Penfield, Clearfield County, Pennsylvania

15849, Parties of the First Part, **GRANTORS**

AND

**LORRAINE ANNE LONGWILL** and **BRUCE JAMES LONGWILL**, her husband, of

R. R. #1, Box 155-A, Penfield, Clearfield County, Pennsylvania 15849, as tenants by the

entireties. Parties of the Second Part, **GRANTEES**

**WITNESSETH**, That in consideration of One and 00/100 (\$1.00) Dollar, in hand paid,  
the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the  
said grantees,

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

BEGINNING at a 1" rebar said rebar being a northwesterly corner of the property of  
Nicholas F. Dilullo, Jr. and Lorraine Anne Longwill, which will be more fully described in  
Instrument Number 19990863; thence S 41° 50' 00" E, a distance of 98.48' to a 5/8" rebar;  
thence through the lands of Nicholas F. Dilullo, Jr. and Lorraine Anne Longwill, S 48° 10' 00"  
W, a distance of 262.36' to a 5/8" rebar; thence N 48° 10' 00" E, a distance of 166.03' to a 5/8"  
rebar; thence S 41° 50' 00" E, a distance of 171.89' to a point and place of beginning.

CONTAINING one acre more or less.

EXHIBIT "A"

BLAISE J. FERRARACCIO  
ATTORNEY & COUNSELOR  
AT LAW

BEING part of a larger tract of land that was conveyed to Nicholas F. Dilullo, Jr. and Lorraine Anne Longwill by deed dated June 10, 1998 and recorded at the Clearfield County Recorder of Deed's Office in Deed Book 1941 at page 221.

The grantors hereby grant to the grantees a twenty foot (20') permanent easement through the property indicated as the 20' temporary construction easement on the map prepared by Lee-Simpson Associates, Inc., dated January 8, 2001 and recorded on April 23, 2001 to Map #: 2294 at the Clearfield County Register & Recorder's Office.

The grantors hereby grant to the Huston Township Sewer Authority and the Huston Township Water Authority a ten foot (10') permanent Right-of-Way and a twenty foot (20') temporary construction easement as shown on the map prepared by Lee-Simpson Associates, Inc. dated January 8, 2001 and recorded on April 23, 2001 to Map #: 2294 at the Clearfield County Register & Recorder's Office, for the construction of a two inch (2") sanitary sewer line and a one inch (1") water line.

If the property is ever transferred, conveyed, assigned, sold, or given away the Dilullo family will be given the first option or opportunity to purchase the property for fair market value as established by two separate appraisals and the resulting average of both.

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

This 18 day of April 2001

BLAISE J. FERRARACCIO  
ATTORNEY & COUNSELOR  
AT LAW

NOTICE - THIS DOCUMENT MAY NOT (DOES NOT) SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE (HAVE) THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY AND LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth in the manner provided in Section 1 of the Act of July, 1957, P.L. 984, as amended).

THIS IS A TRANSFER FROM BROTHER AND SISTER TO SISTER AND BROTHER-IN-LAW THEREFORE NO TRANSFER TAX IS DUE.

AND the said grantors will GENERALLY WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said grantors have hereunto set their hands and seals, the day and year first above-written.

Sealed and delivered in the presence of:

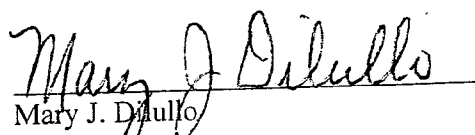
Notarial Seal  
Cheryl Kay Callari, Notary Public  
Huston Twp., Clearfield County  
My Commission Expires March 29, 2002  
Member, Pennsylvania Association of Notaries

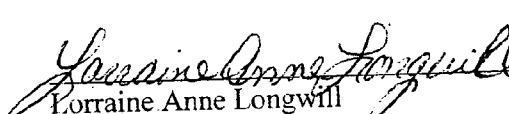
Notarial Seal  
Cheryl Kay Callari, Notary Public  
Huston Twp., Clearfield County  
My Commission Expires March 29, 2002  
Member, Pennsylvania Association of Notaries

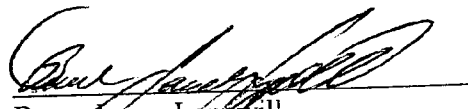
Notarial Seal  
Cheryl Kay Callari, Notary Public  
Huston Twp., Clearfield County  
My Commission Expires March 29, 2002  
Member, Pennsylvania Association of Notaries

Notarial Seal  
Cheryl Kay Callari, Notary Public  
Huston Twp., Clearfield County  
My Commission Expires March 29, 2002  
Member, Pennsylvania Association of Notaries

 (SEAL)  
Nicholas Francis Dilullo, Jr.

 (SEAL)  
Mary J. Dilullo

 (SEAL)  
Lorraine Anne Longwill

 (SEAL)  
Bruce James Longwill

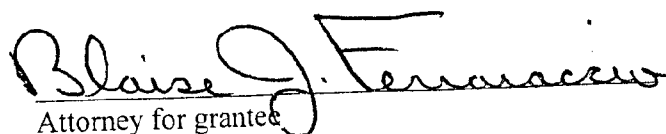
NO TITLE SEARCH PERFORMED

### CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the grantee herein is as follows:

R.R. #1, Box 155-A  
Penfield, PA 15849

BLAISE J. FERRARACCIO  
ATTORNEY & COUNSELOR  
AT LAW

  
Attorney for grantee

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

Clearfield

SS.

On this, the 18 day of April, 2001, before me, a Notary Public, the

undersigned officer, personally appeared Nicholas Francis Dilullo, Jr. and Mary J. Dilullo, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary

Notarial Seal  
Cheryl Kay Callari, Notary Public  
Huston Twp., Clearfield County  
My Commission Expires March 29, 2002  
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

Clearfield

SS.

On this, the 18 day of April, 2001, before me, a Notary Public, the

undersigned officer, personally appeared Lorraine Anne Longwill and Bruce James Longwill, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary

Notarial Seal  
Cheryl Kay Callari, Notary Public  
Huston Twp., Clearfield County  
My Commission Expires March 29, 2002  
Member, Pennsylvania Association of Notaries



# CORRECTIVE DEED

MADE the 9 day of May, 2001, between **NICHOLAS FRANCIS DILULLO, JR.** and **MARY J. DILULLO**, his wife of R.D. #3, Box 251-B, DuBois, Clearfield County, Pennsylvania 15801, and **LORRAINE ANNE LONGWILL** and **BRUCE JAMES LONGWILL**, her husband, of R.R. #1, Box 155-A, Penfield, Clearfield County, Pennsylvania 15849, Parties of the First Part, **GRANTORS**

AND

**LORRAINE ANNE LONGWILL** and **BRUCE JAMES LONGWILL**, her husband, of R. R. #1, Box 155-A, Penfield, Clearfield County, Pennsylvania 15849, as tenants by the entireties, Parties of the Second Part, **GRANTEES**

**WITNESSETH**, That in consideration of One and 00/100 (\$1.00) Dollar, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

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

BEGINNING at a 1" rebar said rebar being a northwesterly corner of the property of Nicholas F. Dilullo, Jr. and Lorraine Anne Longwill, which will be more fully described in Instrument Number 19990863; thence S 41° 50' 00" E, a distance of 98.48' to a 5/8" rebar; thence through the lands of Nicholas F. Dilullo, Jr. and Lorraine Anne Longwill, S 48° 10' 00" W, a distance of 166.03' to a 5/8" rebar; thence N 41° 50' 00" W a distance of 262.36; thence N 48° 10' 00" E, a distance of 166.03' to a 5/8" rebar; thence S 41° 50' 00" E, a distance of 171.89' to a point and place of beginning.

CONTAINING one acre more or less.

**BEING** part of a larger tract of land that was conveyed to Nicholas F. Dilullo, Jr. and Lorraine Anne Longwill by deed dated June 10, 1998 and recorded at the Clearfield County Recorder of Deed's Office in Deed Book 1941 at page 221.

This Deed has been recorded because the prior deed between the parties hereto recorded April 23, 2001 as Instrument #200105670 contained a defective description.

The grantors hereby grant to the grantees a twenty foot (20') permanent easement through the property indicated as the 20' temporary construction easement on the map prepared by Lee-Simpson Associates, Inc., dated January 8, 2001 and recorded on April 23, 2001 to Map #: 2294 at the Clearfield County Register & Recorder's Office.

The grantors hereby grant to the Huston Township Sewer Authority and the Huston Township Water Authority a ten foot (10') permanent Right-of-Way and a twenty foot (20') temporary construction easement as shown on the map prepared by Lee-Simpson Associates, Inc. dated January 8, 2001 and recorded on April 23, 2001 to Map #: 2294 at the Clearfield County Register & Recorder's Office, for the construction of a two inch (2") sanitary sewer line and a one inch (1") water line.

If the property is ever transferred, conveyed, assigned, sold, or given away the Dilullo family will be given the first option or opportunity to purchase the property for fair market value as established by two separate appraisals and the resulting average of both.

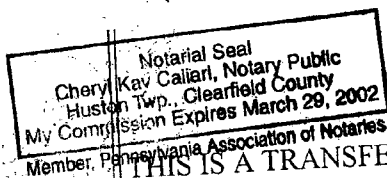
NOTICE - THIS DOCUMENT MAY NOT (DOES NOT) SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE (HAVE) THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY AND LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth in the manner provided in Section 1 of the Act of July, 1957, P.L. 984, as amended).

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

This 9 day of May 2001



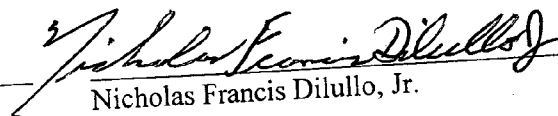
THIS IS A TRANSFER FROM BROTHER AND SISTER TO SISTER AND BROTHER-IN-LAW THEREFORE NO TRANSFER TAX IS DUE.

BLAISE J. FERRARACCIO  
ATTORNEY & COUNSELOR  
AT LAW

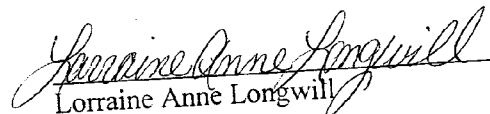
AND the said grantors will GENERALLY WARRANT AND FOREVER DEFEND the property hereby conveyed.

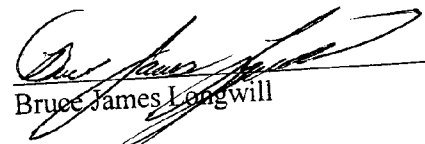
IN WITNESS WHEREOF, said grantors have hereunto set their hands and seals, the day and year first above-written.

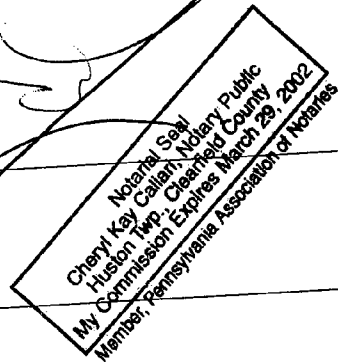
Sealed and delivered in the presence of:

 (SEAL)  
Nicholas Francis Dilullo, Jr.

 (SEAL)  
Mary J. Dilullo

 (SEAL)  
Lorraine Anne Longwill

 (SEAL)  
Bruce James Longwill



NO TITLE SEARCH PERFORMED

CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the grantee herein is as follows:

R.R. #1, Box 155-A  
Penfield, PA 15849

BLAISE J. FERRARACCIO  
ATTORNEY & COUNSELOR  
AT LAW

\_\_\_\_\_  
Attorney for grantee

COMMONWEALTH OF PENNSYLVANIA

: SS.

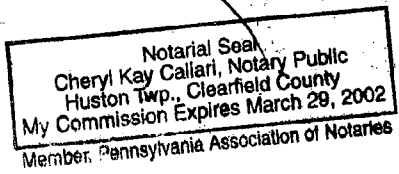
COUNTY OF Clearfield

On this, the 9<sup>th</sup> day of May, 2001, before me, a Notary Public, the

undersigned officer, personally appeared Nicholas Francis Dilullo, Jr. and Mary J. Dilullo, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Signature]  
Notary



COMMONWEALTH OF PENNSYLVANIA

: SS.

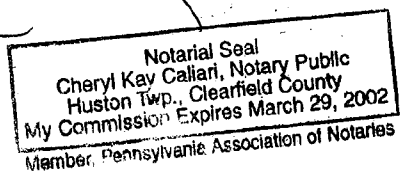
COUNTY OF Clearfield

On this, the 9 day of May, 2001, before me, a Notary Public, the

undersigned officer, personally appeared Lorraine Anne Longwill and Bruce James Longwill, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Signature]  
Notary



FILED

Atty. pd.  
2000

DEC 27 2001

1 cc Atty Harak, Guido & Talar day

William A. Shaw  
Prothonotary