

02-603-CD  
THOMAS A. PRESTASH et ux -vs- MARK J. RUSMAK

WAIVER OF MECHANICS' LIEN

02-603-CD

WHEREAS, MARK J. RUSNAK, of RD2 Box 64-AS, hereinafter referred to as CONTRACTOR, entered into an agreement with THOMAS A. PRESTASH and JANE L. PRESTASH, his wife, of R.R. 4, Box 261, Philipsburg, Pennsylvania, 16866, hereinafter referred to as OWNERS, said contract being to provide material and perform labor necessary for excavation upon a lot of ground located on all that certain piece or parcel of land situated in the Township of Morris, Clearfield County, Pennsylvania, and being described on Exhibit "A" attached hereto and becoming part hereof.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the said parties, as part of the said contract or proposal and for the consideration therein set forth, that neither the undersigned contractor, any sub-contractor or material man, nor any other person furnishing labor or materials to the said contractor under this contract shall file a lien, commonly called a Mechanics' Lien, for any work done or materials furnished to the said building or any part thereof.

**FILED**

LAW OFFICES OF  
COLAVECCHI  
RYAN & COLAVECCHI  
221 E. MARKET ST.  
(ACROSS FROM  
COURTHOUSE)  
P.O. BOX 131  
CLEARFIELD, PA

APR 17 2002

01/10:54 AM Ryan

William A. Shaw pd \$20.00  
Prothonotary

nocc

This stipulation is made and intended to be filed with the Clearfield County Prothonotary, in accordance with the requirements of Act of Assembly of Pennsylvania, in such case provided.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals this 16 day of April, 2002.

WITNESS:

May C. Prestad

CONTRACTOR:

Mark J. Rusnak (SEAL)  
MARK J. RUSNAK

OWNERS:

4/16/02 May C. Prestad

Thomas A. Prestash (SEAL)  
THOMAS A. PRESTASH

May C. Prestad

Jane L. Prestash (SEAL)  
JANE L. PRESTASH

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

BEGINNING at an iron pin and the northwest corner of land now or formerly of Mary Jane Prestash; thence along lands of same and lands of Thomas A. and Jane L. Prestash and lands now or formerly of Stephen G. Pasko, et al, South thirty-nine (39) degrees eight (8) minutes twenty (20) seconds East, five hundred seventy-two and no tenths (572.0) feet to an iron pin and the northeast corner of Lot Addition Parcel #4; thence along same, South fifty (50) degrees forty-one (41) minutes forty (40) seconds West, one hundred ninety-three and thirty-four one-hundredths (193.34) feet to an iron pin on the right-of-way line of G.P.U. Energy; thence along same, North fifty-two (52) degrees thirty-two (32) minutes fifteen (15) seconds West, five hundred seventy-four and no tenths (574.0) feet to an iron pin and the southwest corner of Lot Addition Parcel #6; thence along same, North forty-eight (48) degrees twenty-one (21) minutes forty (40) seconds East, three hundred twenty-four and nine tenths (324.9) feet to an iron pin and place of beginning.

Known as Lot Addition Parcel #5 on the map prepared by Shirokey Surveys and dated November 19, 1998.

Containing 3.3721 acres.

BEING the same premises conveyed to Thomas A. Prestash and Jane L. Prestash from Maxton Coal Company by deed dated February 1, 1999, recorded at Clearfield County as Instrument Number 199902734.

Exhibit

"A"

~~Leave over margin~~

MARK J. RUSNAK,  
Contractor

and

THOMAS A. PRESTASH and  
JANE L. PRESTASH, Husband  
and Wife,  
Owners

WAIVER OF MECHANICS' LIEN

**COLAVECCHI**  
**RYAN & COLAVECCHI**  
ATTORNEYS AT LAW  
221 EAST MARKET STREET  
(ACROSS FROM COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA 16830