

02-1046-CD  
CONNIE A. MONTINI et al. -vs- JOHN W. TAYLOR et al

**WAIVER OF RIGHT TO FILE MECHANIC'S LIEN**

**WHEREAS**, CONNIE A. MONTINI and EDWARD L. MONTINI, wife and husband, currently of RD #2 Box 169, Clearfield, Clearfield County, Pennsylvania, hereinafter called "**OWNER**", on or about May 22, 2002, entered into a Contract with JOHN W. TAYLOR, t/d/b/a, J. W. TAYLOR & SONS GENERAL CONTRACTING & EXCAVATING, of RD #2 Box 117, Clearfield County, Pennsylvania, hereinafter called "**CONTRACTOR**", for the purpose of erecting a 32'x55' one story house with full basement in accordance with the plans and specifications attached to said Contract, upon **ALL** that certain piece or parcel of land known as Lot 2 in the Donald G. and Christine B. Ogden Minor Subdivision, said Subdivision Map is recorded at Instrument Number 200118095 and being recorded as Map File Number 2444, situate in Goshen Township, Clearfield County, Pennsylvania bounded and described as follows:

**BEGINNING** at a 5/8" rebar set at the Northwestern corner of the land herein described; thence by Lot 1 of the Donald G. and Christine B. Ogden Minor Subdivision, land of Donald G. and Christine B. Ogden, the Grantors herein, South eighty degrees twenty-nine minutes forty-nine seconds East (S 80° 29' 49" E) four hundred two and three tenths (402.30) feet to a 5/8" rebar set in the Western line of Township Road T-599, also known as Brown Hollow Road; thence by the Western line of said T-599 (Brown Hollow Road) the following courses: South thirty-five degrees thirty-four minutes fifty-six seconds West (S 35° 34' 56" W) sixty-four and six hundredths (64.06) feet to a point; South nineteen degrees zero minutes fifty-five seconds West (S 19° 00' 55" W) eighty-one and seventeen hundredths (81.17) feet to a point; and South ten degrees forty-four minutes fifty-seven seconds West (S 10° 44' 57" W) thirty-six and eighty-seven hundredths (36.87) feet to a 5/8" rebar set in the Western line of said T-599 (Brown Hollow Road); thence by Lot 3 of the Donald G. and Christine B. Ogden Minor Subdivision North eighty-one degrees two minutes zero seconds West (N 81° 02' 00" W) three hundred forty-two and thirty-five hundredths (342.35) feet to a 5/8" rebar; thence by land of John and Erma Taylor North three degrees fifty-one minutes zero seconds East (N 03° 51' 00" E) one hundred seventy-eight and fifty-three hundredths (178.53) feet to a 5/8" rebar and the place of beginning.

Containing 1.471 Acres

**BEING** the same premises as vested in Christine B. Odgen and Donald G. Ogden, her husband, by Deed from T. Lee Taylor, et. al., dated May 4, 1978, as recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 760, page 05.

**FILED**

JUL 02 2002

William A. Shaw  
Prothonotary

**NOW, THEREFORE**, at the time of and immediately before the execution of the principal Contact, and before any authority has been given by the said CONNIE A. MONTINI and EDWARD L. MONTINI, wife and husband, to John W. Taylor, t/d/b/a, J. W. Taylor & Sons General Contracting & Excavating, to commence work on said erection of a 32'x55' one story house with full basement or to purchase materials for the same, it is hereby stipulated and agreed by and between the said parties as part of the said Contract and for the consideration therein set forth that neither the undersigned Contractor, and sub-contractor, material man, or mechanic, nor any other person furnishing labor and/or materials to the said Contractor under this Contract shall file any Mechanic's or other lien or claim for work done or material furnished in or about the performance of said Contract against the ground herein described, upon which the structure thereon is erected, or against any structure or property whatsoever covered by said Contract.

This stipulation is specifically made with the purpose and the intent that it be filed in the Prothonotary's Office of Clearfield county, Pennsylvania, in accordance with, under, and by virtue of the requirements of the Acts of Assembly of Pennsylvania in such case provided, in order to operate as a complete Waiver by the Contractor and all sub-contractors, and material, men, or any other person, of the right to file any Mechanic's Lien of any nature and in any manner.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and seals this

1<sup>st</sup> day of July, 2002.

**WITNESS:**

Kimberly Jordan

Kimberly Jordan

Kimberly Jordan

Connie A. Montini (SEAL)  
Connie A. Montini, Owner

Edward L. Montini (SEAL)  
Edward L. Montini, Owner

John W. Taylor (SEAL)  
J. W. Taylor, Contractor

**FILED**

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*SAW*  
William A. Shaw  
Prothonotary