

02-1208-CD

Keith A. Smith -vs- Keith A. Smith, Rebecca A. Smith

## WAIVER OF RIGHT TO FILE MECHANICS' LIENS

02-1208-10

KNOW ALL MEN BY THESE PRESENTS that **KEITH A. SMITH** of 220 West DuBois Avenue, DuBois, Pennsylvania, General Contractor, has contracted with **KEITH A. SMITH** and **REBECCA A. SMITH**, husband and wife, of 220 West DuBois Avenue, DuBois, Pennsylvania, Owners, to provide the labor, materials and equipment for the construction of a dwelling house upon premises known as Lots 809-810 situate on Chestnut Avenue in Sandy Township, Clearfield County, Pennsylvania, more particularly described on Exhibit "A", attached hereto and made a part hereof.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the parties hereto as part of said contract that neither the undersigned General Contractor, any subcontractor or materialman nor any other person furnishing labor and materials to the said Contractor under the said contract shall file a lien, commonly called a mechanics' lien, for work done or materials furnished in and about the construction of the said structure.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have executed this agreement of waiver the 2<sup>nd</sup> day of August, 2002.

Keith A. Smith (SEAL)  
Keith A. Smith, General Contractor

Keith A. Smith (SEAL)  
Keith A. Smith, Owner

Rebecca A. Smith (SEAL)  
Rebecca A. Smith, Owner

FILED

AUG 5 2002

EVAN  
M 10.00 latty, Tennell  
William A. Shaw  
Prothonotary

pd  
20.00

EXHIBIT 'A'

ALL those certain pieces, parcels or lots of land lying and being situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

THE FIRST THEREOF: BEGINNING on Wood Avenue at the line of Lot No. 810; thence North 79° 36' West along Wood Avenue 50 feet to line of Lot No. 808; thence North 9° 41' East along the line of Lot No. 808, 150 feet to an alley; thence South 79° 36' West along said Alley, 50 feet to Lot No. 810; thence South 9° 41' West along the line of Lot No. 810, 150 feet to Wood Avenue and the place of beginning.

BEING known as Lot No. 809 in the Luther Lowe-Plan of Lots in the Village of Oklahoma in said Township.

THE SECOND THEREOF: BOUNDED on the West by a 16 foot alley; on the South by Wood Avenue; on the East by a 16 foot alley; and on the North by Lot No. 809.

BEING known as Lot No. 810 as per S. Fuller's Addition to the Borough of DuBois and being 50 feet wide by 150 feet deep.

EXCEPTING AND RESERVING all the coal lying in, upon and under said land, together with all the mining rights, liberties and privileges as reserved in deed from J. S. Cunningham to former grantor.

UNDER AND SUBJECT to all other exceptions, reservations or restrictions which may appear in the recorded chain of title or which can be ascertained from an examination of the premises.

BEING the same premises which were conveyed to Keith A. Smith and Rebecca A. Smith, husband and wife, by deed of Paula M. Cherry, Executrix of the Estate of Cecelia S. Ball, deceased, dated May 2, 2002, recorded May 6, 2002, in the Office of the Recorder of Clearfield County, Pennsylvania, as Instrument No. 200207161.

KEITH A. SMITH  
General Contractor

and

KEITH A. SMITH and  
REBECCA A. SMITH,  
husband and wife,  
Owners

WAIVER OF RIGHT TO FILE  
MECHANICS' LIENS

LAW OFFICES  
**ERVIN S. FENNELL, JR.**  
228 DEPOSIT BANK BUILDING  
POST OFFICE BOX 606  
DUBOIS, PENNSYLVANIA  
15801-0606