

02-1940-CD
CLFD CO ECONOMIC DEVELOPMENT VS. SEASON AIRE, INC.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CLEARFIELD COUNTY ECONOMIC
DEVELOPMENT CORPORATION,
Owner

-vs-

SEASON AIRE, INC.,
Contractor

*

*

*

*

Docket No. 02-1940-CS

Type of Pleading:
WAIVER OF MECHANICS LIEN

Filed on behalf of:
OWNER: Clearfield County
Economic Development Corporation

Counsel of record for
this party:

Dwight L. Koerber, Jr.
PA I.D. No. 16332

110 North Second Street
P. O. Box 1320
Clearfield, PA 16830
(814) 765-9611

FILED

DEC 12 2002

William A. Shaw
Prothonetary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CLEARFIELD COUNTY ECONOMIC
DEVELOPMENT CORPORATION,
Owner

*

*

-VS-

Docket No.

*

SEASON AIRE, INC.,
Contractor

*

WAIVER OF MECHANICS LIEN

WHEREAS, CLEARFIELD COUNTY ECONOMIC DEVELOPMENT CORPORATION (hereinafter "OWNER") of 209 East Locust Street, Clearfield, Pennsylvania, 16830, has entered into a contract with SEASON AIRE, INC., of 103 Green Drive, Duncansville, Pennsylvania, 16635 (hereinafter "CONTRACTOR"), to perform the labor and materials necessary for building construction or repair and improvement to that certain property in the Borough of Clearfield, Clearfield County, identified as Lot 1 of the Clearfield County Technology Park, and being more particularly described in the legal description and map attached hereto as Appendix A.

NOW THEREFORE, at the time of and immediately before the execution of the contract between OWNER and CONTRACTOR, and before any authority has been given by OWNER to the said CONTRACTOR to provide the labor and material necessary for building construction or repairs and improvements, or to purchase materials for said project, in consideration of the making of the contract for the project between the OWNER and CONTRACTOR, it is agreed that neither the undersigned CONTRACTOR, and any sub-contractor, or material man, or any workman, or any other person, for labor furnished or materials purchased, shall file a lien, commonly called a Mechanic's Lien, for work done or materials furnished to the said building under the contract between the OWNER and CONTRACTOR for the building and construction or repair and improvements to the building, the right to file, maintain or have such liens being expressly waived.

WITNESS, my hand and seal this 10 day of Dec., 2002.

CONTRACTOR:

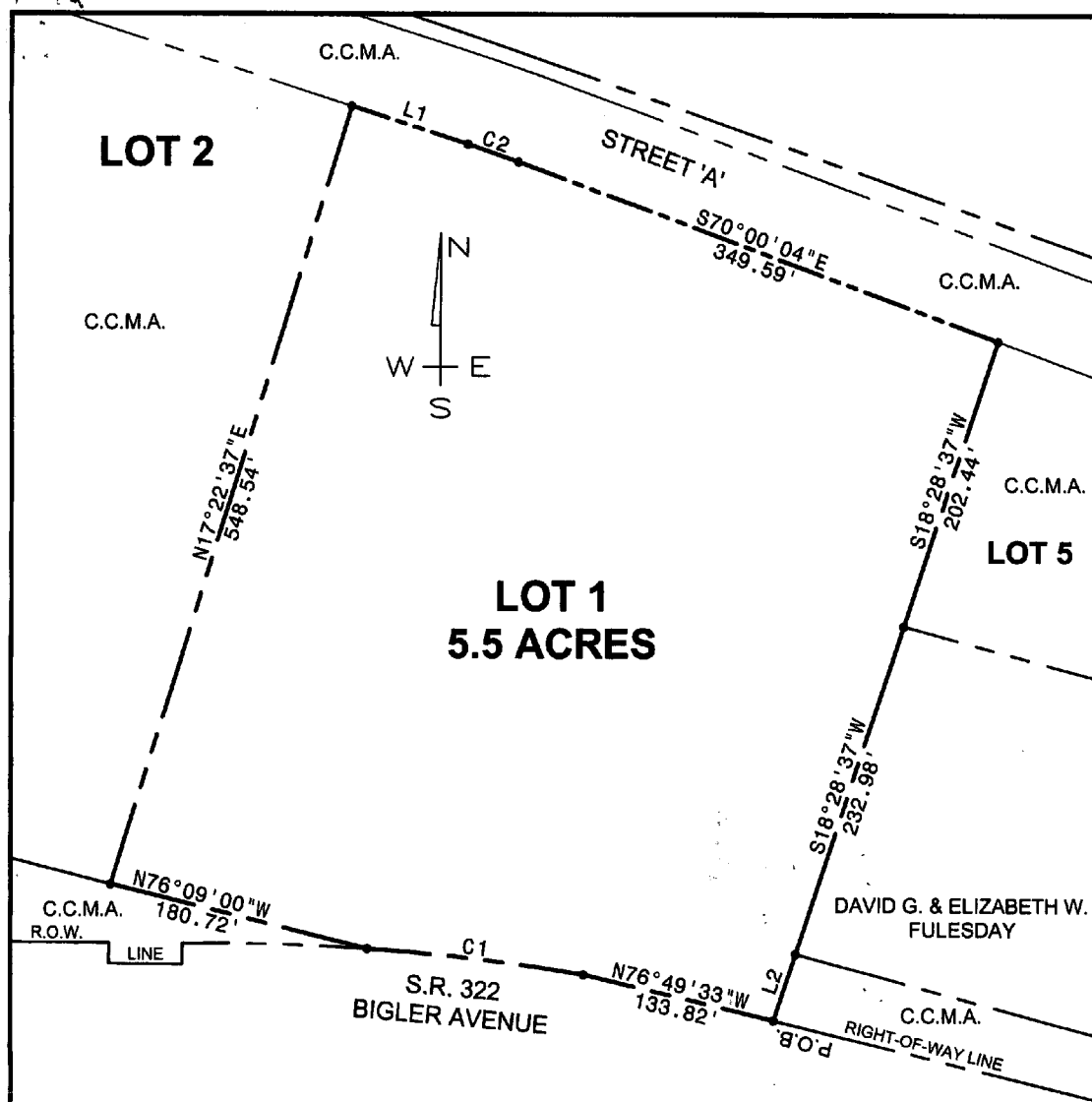
Season-Aire Inc.
Thomas J. Eisenman Sec.

ALL that certain piece or parcel of land situate in the Borough of Clearfield, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the northern right-of-way line of S.R. 322 (Bigler Avenue), said point also being the southeastern corner of the property described herein; thence along said right-of-way line, N 76° 49' 33" W, a distance of 133.82 feet to a point; thence still along said right-of-way line, by a curve to the left with a radius of 1543.09 feet, the chord of which is, N 83° 17' 47" W, 148.86 feet to a point; thence along land of Clearfield County Municipal Authority the following courses and distances: N 76° 09' 00" W, 180.72 feet to a point; N 17° 22' 37" E, 548.54 feet (Lot 2) to a point; S 72° 09' 46" E, 83.58 feet (Street 'A') to a point; by a curve to the right with a radius of 970.00 feet, the chord of which is, S 71° 04' 55" E, 36.60 feet (Street 'A') to a point; S 70° 00' 04" E, 349.59 feet (Street 'A') to a point; S 18° 28' 37" W, 202.44 feet (Lot 5) to a point; thence along land of David G. and Elizabeth W. Fulesday, S 18° 28' 37" W, a distance of 232.98 feet to a point; thence along land of Clearfield County Municipal Authority, S 18° 28' 37" W, a distance of 232.98 feet to a point; thence along land of Clearfield County Municipal Authority, S 18° 28' 37" W, a distance of 47.07 feet to a point and place of beginning.

Containing 5.5 acres as shown on attached map titled, "Lot 1, Clearfield County Technology Park, Landowner: Clearfield County Municipal Authority, Clearfield Borough, Clearfield County, dated, April 11, 2001.

BEING a portion of the premises conveyed to the Clearfield County Economic Development Corporation by Deed of the Clearfield County Municipal Authority dated July 27, 2001, and recorded with the Register and Recorder in and for Clearfield County on July 30, 2001, at Instrument Number 200111788.



C.C.M.A. = CLEARFIELD COUNTY MUNICIPAL AUTHORITY

LINE TABLE		
LINE	LENGTH	BEARING
L1	83.58'	S72°09'46"E
L2	47.07'	S18°28'37"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD
C1	148.92'	1543.09'	5°31'46"	74.52'	N83°17'47"W	148.86'
C2	36.60'	970.00'	2°09'42"	18.30'	S71°04'55"E	36.60'

LOT 1
Clearfield County Technology Park
Landowner: Clearfield County Municipal Authority
Clearfield Borough, Clearfield County

SCALE: 1"=100'
DATE: 4/11/01
GF PROJECT NO.
36371-006
DWG/PLOT STYLE:
LOT1.DWG
LOT1.CTB



Gannett Fleming

800 Leonard Street, Suite 1
Clearfield, PA 16830
(814) 765-4320

FILED

012:33 *Ad*
DEC 12 2002
Atty Ad. 20.00

William A. Shaw
Prothonotary