

03-433-CD
STEVEN R. BYERS, ETAL. VS. BRINK PLUMBING, HEATING, & a/c ELECT.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NO. 03- 433 -WML

STIPULATION AGAINST LIENS

THIS AGREEMENT, made this 10 day of March, 2003, BETWEEN
STEVEN R. BYERS and DIANNE E. BYERS, of P. O. Box 213, Mahaffey, PA 15757,
herein referred to as Owners,

- A N D -

BRINK PLUMBING, HEATING, ELECT. & A/C, of 25740, Route 286 Hwy. East, P. O.
Box 207 B-2, Glen Campbell, PA 15742, herein referred to as Contractor,

WHEREAS, STEVEN R. BYERS and DIANNE E. BYERS, Owners herein,
are about to execute contemporaneously herewith, a contract, with BRINK PLUMBING,
HEATING, ELECT. & A/C, Contractor herein to provide materials and/or to perform labor
necessary for the construction and erection or the alteration and repair of (a) building(s) upon those
certain pieces or parcels of land situated in Bell Township, County of Clearfield and
Commonwealth of Pennsylvania, bounded and described as follows:

**ALL that certain piece, parcel or tract of land situate, lying and being in Bell
Township, Clearfield County, Pennsylvania, bounded and described as follows:**

**BEGINNING at the Northwestern corner of the tract herein conveyed, said point
of beginning being located along the Northeastern corner of lands conveyed to
Richard Rainey and Teresa Rainey, husband and wife; thence South 49 degrees
19 minutes West along lands of Richard Rainey, et. ux., and along lands of William
Hineman, et. ux., and along the termini of a 20 foot roadway, for a distance of
512.65 feet to a point located at the Northeastern corner of lands of James
Bartlebaugh, et. ux.; thence South 40 degrees 41 minutes East along the Northern
end of a 20 foot wide road and along lands of Jack Rainey, et. ux., and along lands
of Arthur J. Byers, et. ux., for a distance of 398.65 feet to a point next to lands of
Emery C. Mahaffey; thence North 15 degrees 43 minutes East along said lands of
Emery C. Mahaffey for a distance of 616.81 feet to an iron pin; thence North 41**

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William A. Shaw
Prothonotary

degrees 47 minutes West for a distance of 57.32 feet to an iron pin, the place of beginning. CONTAINING 2.6881 acres, in accordance with a survey completed by Frederic H. Shuss, Registered Surveyor #4712-E, on April 5th, 1979.

BEING the same premises as were conveyed to Steven R. Byers and Dianne E. Byers, husband and wife, by Deed of Steven R. Byers and Dianne E. Byers, husband and wife, dated November 18, 1981, and entered for record in the Recorder's Office of Clearfield County in Deed Book Volume 822, Page 375.

NOW, the day and date first above written, and at the time of and immediately before the execution of the principle contract, and before any authority has been given by the said owners to the said contractor to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with owner and the further consideration of one (\$1.00) to contractor paid by owner, it is hereby agreed by and between the said parties hereto that the said contractor for themselves and their sub-contractor and all parties acting through or under them, covenant and agree that no mechanics lien or claim shall be filed or maintained by them, or any of them, against the said building and lot of ground appurtenant thereto, for or on account of any work done or materials furnished by them, or any of them, under the principle contract or otherwise for, toward, in, or about the erection and construction of the said building, and the said contractor, for themselves and their sub-contractor and others under them, hereby expressly waive and relinquish the right to have or maintain any mechanics lien or claim against the said building or the lot of ground appurtenant thereto, and that this agreement waiving the right of lien shall be an independent covenant.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands
and seals this day and date first above written.

WITNESSES:

By Christopher J. Brink
BRINK PLUMBING, HEATING,
ELECT. & A/C, Contractor

Steven R. Byers
STEVEN R. BYERS, Owner

Dianne E. Byers
DIANNE E. BYERS, Owner

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Prothonotary