

03-576-CD
Brandi A. Hamm, et al. vs. Michael W. Owens, et al

STIPULATION AGAINST MECHANICS' LIENS

BRANDI A. HAMM and } In the Court of Common Pleas
DAVID G. HAMM, JR., } of Clearfield County,
Owners } Pennsylvania
vs. }
MICHAEL W. OWENS, }
an adult individual, t/a }
MICHAEL W. OWENS & SONS, }
a sole proprietorship, }
Contractor }
Number 03-576-CJ Term 2003

FILED

APR 17 2003

William A. Shaw
Prothonotary

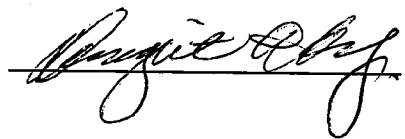
WHEREAS, Brandi A. Hamm and David G. Hamm, Jr., of 310 South Fourth Street, Clearfield, Pennsylvania 16830 (hereinafter referred to as "Owners") are about to execute a contract, contemporaneously herewith, with Michael W. Owens t/a Michael W. Owens & Sons, a sole proprietorship, (hereinafter referred to as "Contractor"), of 5796 Clearfield-Woodland Highway, Clearfield, Pennsylvania 16830 providing for the construction and/or erection of improvements in and upon a parcel of land situate in Pike Township, Clearfield County, Pennsylvania, more fully described in Exhibit A which is attached hereto and made a part hereof (hereinafter referred to as the "Subject Premises").

NOW, April 11, 2003, at the time of and/or immediately before the execution of the aforesaid contract, and before any authority has been given by Owners to Contractor to commence

the construction and/or erection of the aforesaid improvements in and upon the Subject Premises and before Contractor or any third party has commenced the construction and/or erection of the aforesaid improvements, and in further consideration of One Dollar (\$1.00), to Contractor paid by Owners, Contractor hereby agrees that no lien shall be filed against the Subject Premises by Contractor, or by any sub-contractor of Contractor, or by any of Contractor's material men or workmen or by any other person for any labor or materials purchased, or extra labor or materials purchased, for or in connection with the erection and/or construction of said improvements, the right to file such liens, including, without limitation, mechanics' liens and/or claims for mechanics' liens, being hereby expressly waived and/or stipulated against.

IN WITNESS WHEREOF, I have executed this stipulation against mechanics' liens as of the day and year aforesaid.

Signed in the Presence
of:



MICHAEL W. OWENS,
t/a MICHAEL W. OWENS &
SONS, A SOLE PROPRIETORSHIP

By: 
Michael W. Owens
Sole Proprietor

EXHIBIT A
TO STIPULATION AGAINST MECHANIC'S LIENS
BETWEEN BRANDI A. HAMM and DAVID G. HAMM, JR.
OWNERS, AND MICHAEL W. OWENS, t/a
MICHAEL W. OWENS & SONS, a sole proprietorship

ALL that certain tract or piece of land situate in the Township of Pike, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a set 3/4" iron rebar in the northern line of Township Road T-504 (now: T-209, Schoolhouse Hill Road), said rebar being the southwestern corner of the property described herein; thence along Lot 10, N 15° 06' 25" W, a distance of 384.15 feet to a set 3/4" iron rebar; thence along Lot 6, N 65° 12' 53" E, a distance of 380.99 feet to a set 3/4" iron rebar; thence along Lot 7, S 52° 19' 33" E, a distance of 231.35 feet to a set 3/4" iron rebar; thence along Lot 9, S 50° 54' 49" W, a distance of 395.13 feet to a set 3/4" iron rebar; thence still along Lot 9, S 1° 25' 34" E, a distance of 235.95 feet to a set 3/4" iron rebar on the aforementioned northern right of way line of Township Road No. T-504 (now: T-209, Schoolhouse Hill Road); thence along said right of way line, N 62° 27' 26" W, a distance of 22.91 feet to a point; thence along same, N 51° 39' 51" W, a distance of 137.38 feet to a set 3/4" iron rebar, the place of beginning. CONTAINING 3.37 acres and being shown as Lot 8 on a plan titled, "Final Plan, Consolidation and Subdivision of Land of Michael P. Malloy, Pike Township, Clearfield County", as prepared by Hess & Fisher Engineers, Inc., dated April 3, 1999, Clearfield County Map File No. 1777, recorded May 4, 1999.

FURTHER IDENTIFIED and known as Lot 8 of Trey/Brooke Estates Subdivision.