

03-1269-CD
MARY JANE DIEHL vs. JTA FURNISHING, GENERAL CONTRACTOR

FILED

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

AUG 26 2003

NO. 03-1269 -WML

STIPULATION AGAINST LIENS

William A. Shaw
Prothonotary

THIS AGREEMENT, made this 2 day of July, 2003, BETWEEN

MARY JANE DIEHL, of Penn Street, Grampian, PA, herein referred to as Owner,

- A N D -

JIM FLEMING, GENERAL CONTRACTOR, of P. O. Box 10, 147 Campbell Lane,
Grampian, PA 16838, herein referred to as Contractor,

WHEREAS, MARY JANE DIEHL, Owner herein, is about to execute contemporaneously herewith, a contract, with JIM FLEMING, General 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 Borough of Grampian, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

ALL that certain lot or parcel of ground together with all improvements thereon situated in the Borough of Grampian, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at the corner of William Bowman Land in the South Line of Railroad Street at it's intersection with the Southeasterly line of William Bowman land; thence by the South line of Railroad Street South 57 degrees 41 minutes East 140 feet to a point; thence through land of which this is a part on a line parallel with the said Southeasterly line of said William Bowman Land South 200 feet, (this line is parallel with N 29 degrees 00 ' E line 270 feet away South) to point; thence still through land of which, is a part on a line at all points parallel with the Northern line of the premises herein being described North 57 degrees 41 minutes West 140 feet to a point on the Southeastern line of the said William Bowman Land; thence along the Southeastern line of said William Bowman land North 200 feet and place of beginning (this line is parallel with N 29 degrees 00 minutes E line 130 feet away South). Being a portion of the premises conveyed unto the Grantors by deed dated December 1, 1996.)

BEING the same premises as were granted and conveyed unto Mary Jane Diehl by deed of Lewis E. Weber, et. al., dated December 30, 2002, and entered for record in the Office for the Recording of Deeds of Clearfield County, Pennsylvania, at Instrument No. 200314375.

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 
JIM FLEMING, General Contractor


MARY JANE DIEHL

—lap over margin—

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MARY JANE DIEHL,
Owner

AND

JIM FLEMING, GENERAL CONTRACTOR,
Contractor

STIPULATION AGAINST LIENS

FILED

0-216-84-2000
10cc

AUG 26 2003

William A. Shaw
Prothonotary

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830