

03-1311-CD
BRETT BLOXDORF, et al vs. DOUGLAS DANVER, et al

03-1311-CD

Stipulation Against Liens

THIS AGREEMENT made the 4th day of September 2003 ,XX , by and between Brett Bloxdorf, d/b/a Bloxdorf Contracting, of 318 Wilderness Lane, Mahaffey, Pennsylvania, 15757

hereinafter referred to as Contractor,

AND

Douglas J. Danver and Jennifer V. Kitko, of 89 Danver Country Lane, Clearfield, Pennsylvania, 16830

Owner, whereby the former undertook and agreed to ~~work and materials~~ construction

on that certain lot of ground situate in Lawrence Township, Clearfield County, Pennsylvania, more fully described in Exhibit "A" attached hereto.

NOW THEREFORE, THIS AGREEMENT WITNESSETH: That the said Contractor, for and in consideration of the sum of (\$1.00) Dollar to in hand paid by Owner, the receipt whereof is hereby acknowledged, and the further consideration mentioned in the agreement aforesaid, for themselves and their subcontractors, and all parties acting through or under them, covenant and agree that no mechanic's liens or claims shall be filed or maintained by them or any of them against the said buildings and the lot of ground appurtenant thereto for or on account of any work done or materials furnished by them or any of them under said contract or otherwise, for, towards, in, or about the erection and construction of the said buildings on the lot above described, and the said Contractor, for themselves, their subcontractors and others under them hereby expressly waive and relinquish the right to have, file, and maintain any mechanic's liens or claims against the said buildings or any of them, and agree that this instrument, waiving the right of lien, shall be an independent covenant.

WITNESS our hands and seals this 4th

day of September, 2003 ,XX .

*Signed, Sealed and Delivered
in the Presence of*

Justin D. Nasek

Brett Bloxdorf

SEAL

SEAL

SEAL

SEAL

ACKNOWLEDGMENT FOR INDIVIDUAL

State of Pennsylvania

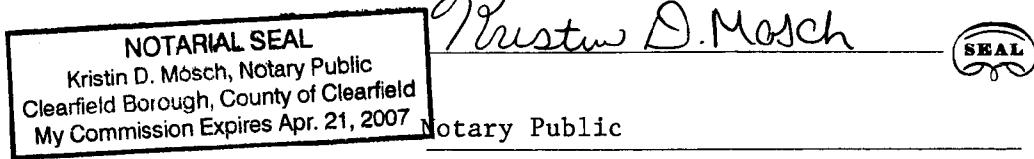
County of Clearfield

ss.

On this, the _____ day of September, 2003, before me the undersigned officer, personally appeared Brett Bloxdorf

known to me (or satisfactorily proven) to be the person whose name is _____ subscribed to the within instrument and acknowledged that he _____ executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



Title of Officer

ACKNOWLEDGMENT FOR CORPORATION

State of

County of

ss.

On this, the _____ day of _____, 19_____, before me, a Notary Public, personally appeared _____, known to me to be the person whose name is _____, and who acknowledges himself to be the _____, corporation, and that he as such, being authorized to do so, executed the foregoing statement for the purposes therein contained by signing the name of the corporation by himself as

In witness whereof, I have hereunto set my hand and notarial seal.

Notary Public

Stipulation Against Liens

Owner Douglas J. Danver and
Jennifer V. Kitko, husband and wife

Contractor Brett Bloxdorf,

d/b/a Bloxdorf Contracting

FILED

Date

Prothonotary

EXHIBIT "A"

ALL that certain piece or parcel of land known as Lot 1 of the Francis Edward Danver, ET AL Minor Subdivision situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a 5/8-inch rebar set in the southern line of a twenty (20) foot private road, said 5/8-inch rebar also being the northwestern corner of the land herein described; thence by the southern line of said twenty (20) foot private road South seventy-seven (77°) degrees thirty-one (31') minutes twenty-nine (29") seconds East one hundred seventy-six and five hundredths (176.05) feet to a 5/8-inch rebar set in the western line of Danver Road, a common use road and Lot 4 of the Francis Edward Danver, ET AL Minor Subdivision, land of Frances Edward Danver, ET AL; thence by the western line of said Danver Road and Lot 4 of the said Frances Edward Danver, ET AL Minor Subdivision, land of Francis Edward Danver, the Grantor herein South four (04°) degrees fifty-nine (59') minutes twenty-seven (27") seconds West one hundred twenty-two and thirty-five hundredths (122.35) feet to a 5/8-inch rebar set in the western line of said Danver Road and Lot 4 of the Francis Edward Danver, ET AL Minor Subdivision, land of Francis Edward Danver, ET AL; thence still by Lot 4 of said Danver Subdivision North eighty-eight (88°) degrees fifty-seven (57') minutes forty-seven (47") seconds West two hundred thirty-four and fifty-five hundredths (234.55) feet to a 5/8-inch rebar; thence still by Lot 4 of said Danver Subdivision North twenty-five (25°) degrees twelve (12') minutes nineteen (19") seconds East one hundred seventy-two and five hundredths (172.05) feet to a 5/8-inch rebar set in the southern line of the aforementioned twenty (20) foot private road and the place of beginning. Containing 0.668 acres.

Together with the right to use a twenty (20) foot private road starting at the northeastern corner of Lot 3 of the Danver Subdivision. Said twenty (20) foot private road will run from Lot 3 South seventy-seven (77°) degrees thirty-one (31') minutes thirty (30") seconds East approximately 962 feet to intersect with Danver Road, a common use road. The twenty (20) foot private road will be utilized by Lot 1 to provide ingress and egress for Lot 1 to access Danver Road. Said private road being more fully described as follows:

ALL that certain piece or parcel of land being created for a twenty (20) foot private road to be utilized as a right-of-way, twenty (20) feet wide, to provide access for Lots 1, 2, 3 and 4 of the Francis Edward Danver, ET AL Minor Subdivision situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the northeastern corner of Lot 3 of the Francis Edward Danver, ET AL Minor Subdivision, land of Francis Edward Danver, ET AL; thence by lands of Paul E. and Carol A. Miller and land of David B. and Sandra K. Miller and land of Ronnie J. and Tammy L. Wilsoncroft South seventy-seven (77°) degrees thirty-one (31') minutes thirty (30") seconds East approximately nine hundred sixty-two (962) feet to the western line of Danver Road, a common use road; thence South four (04°) fifty-nine (59') minutes twenty-seven (27") seconds West twenty and zero hundredths (20.00) feet to a point; thence along Lots 1, 2 and 4 in the Francis Edward Danver, ET AL Minor Subdivision North seventy-seven (77°) degrees thirty-one (31') minutes thirty (30") seconds West approximately nine hundred sixty-two (962) feet to the eastern line of Lot 3 of the Danver Subdivision; thence by Lot 3 of the Danver Subdivision North two (02°) degrees fifty-six (56') minutes fifty-nine (59") seconds East twenty and zero hundredths (20.00) feet to a point and the place of beginning. Containing 0.442 acres, 19,240.00 square feet.

Further granting and conveying to Grantees, their heirs, executors and administrators and assigns, an easement over and upon the property of Francis Edward Danver, ET AL for purposes of water and sewage access, and which shall include, but not be limited to, access to the property of Francis Edward Danver, ET AL to install, service, improve, maintain and repair water and sewage lines.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said party of the first part in law, equity, or otherwise, howsoever, of, in and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only property use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.