

03-1407-CD  
HAUBERT HOMES, INC. v. DARREL J. HUMMEL, JR., et al.

# MECHANIC'S LIEN WAIVER 2003-1407-CD

HAUBERT HOMES, INC. of DuBois, Pennsylvania, ("SUBCONTRACTOR"), entered into a contract with DARREL J. HUMMEL, JR. and MELANIE K. HUMMEL of Clearfield, Pennsylvania, ("CONTRACTORS/OWNERS") to furnish labor and/or materials for the manufacturer of a modular home bearing serial number \_\_\_\_\_ (the "Contract") to be delivered to property owned by Contractors/Owners situate in Bradford Township, Clearfield County, Pennsylvania, more particularly described on Exhibit "A" hereof.

NOW THEREOF, as part of the Contract and for the consideration therein set forth, Subcontractor waives any right that Subcontractor now has or in the future may have to file a lien, commonly called a mechanic's lien, against the above described real estate or against the improvements located thereon to secure payment for work done or materials furnished by Subcontractor, or any other person furnishing labor or materials to the Subcontractor under the Contract. It is the intention of the parties that this Waiver shall be recorded in the Office of the Prothonotary of Clearfield County, Pennsylvania, to provide constructive notice of this Waiver to any and all subcontractors, material men, and other persons furnishing labor or materials under the Contract.

The Subcontractor hereby certifies that no work has been performed and no materials have been provided pursuant to the Contract as of the date of this Mechanic's Lien Waiver.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the Subcontractor has caused this Waiver to be executed by its Agent this 18<sup>th</sup> day of September, 2003, with full knowledge of the rights afforded the Subcontractor under the laws of the Commonwealth of Pennsylvania.

HAUBERT HOMES, INC.

BY Michael A. Peters  
Michael A. Peters  
Division Manager

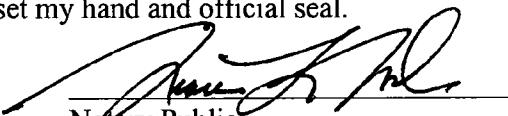
FILED

SEP 19 2003  
01:14 PM  
William A. Shaw  
Prothonotary/Clerk of Courts

COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF CLARION : S.S.

On this, the 18<sup>th</sup> day of September, 2003 before me, the undersigned Officer, personally appeared Michael A. Peters, who acknowledged himself to be a Division Manager for Haubert Homes, Inc., a Pennsylvania Corporation, and that he as Division Manager, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Division Manager.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
Notary Public

My Commission Expires: 12/16/06

Notarial Seal  
Traci L. Tosh, Notary Public  
Hawthorn Boro, Clarion County  
My Commission Expires Dec. 16, 2006  
Member, Pennsylvania Association Of Notaries

## EXHIBIT "A"

ALL that certain piece or parcel of land situated in the Township of Bradford, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a P.K. nail in the centerline of SR 1012 (formerly LR 17055) leading from Bigler to Shiloh. Said P.K. nail also being the Northeast corner of lands of James B. and Joyce B. Welker. Said corner being located North four degrees, forty-one minutes, fifty-five seconds East (N 04°41'55"E), sixteen and thirty-five hundredths feet (16.35) from an iron pin reference point on the South right-of-way line of said SR 1012; thence by the centerline of said SR 1012, South seventy-four degrees, thirty-five minutes, East (S74°35'00"E), three hundred one and twenty-five hundredths feet (301.25) to a P.K. nail in the centerline of said road and the Northwest corner of Parcel No. 2; thence by the West line of Parcel No 2, South twenty-one degrees, twenty-five minutes, twenty-five seconds West (S 21°25'25"W), six hundred fifty-eight and seventy-nine hundredths feet (658.79) to an iron pin corner of Parcel No. 2 and the line of lands of Ernest and Mona M. Welker; thence by said E.L. and M.M. Welker lands, North seventy-four degrees, forty-three minutes West (N 74°43'00" W), one hundred eight and twenty-five hundredths feet (108.25) to an iron pin corner of said E.L. and M.M. Welker and the line of lands of James B. and Joyce B. Welker; thence by the lands of J.B. and J.B. Welker, North four degrees, forty-one minutes, fifty-five seconds East (N 04°41'55"E), six hundred sixty-seven and six hundredths feet (667.06) to a P.K. nail and the place of beginning.

CONTAINING 3.0802 acres and being Parcel No. 1 as shown on a subdivision map of the Floyd A. and Cheryl A. Maines property, surveyed and mapped by Shirokey Surveys. Said map was recorded June 4, 1998 in Map File 1549. MAP #106-O07-000-00124

UNDER and SUBJECT TO all restrictions, reservations, easements, rights of way, outsales or other matters of record or apparent by visual inspection.

BEING the same premises conveyed Darrel J. Hummel, Jr. and Melanie K. Hummel, husband and wife to Darrel J. Hummel, Jr. and Melanie K. Hummel, husband and wife, by deed dated September 18, 2003 and recorded September 194, 2003 in Clearfield County at Instrument No. 2003 17018.