

03-<sup>2</sup>470-CD  
WELCOME HOME CENTERS, INC. vs. JAMES A. BATNEY, SR. et al.

## MECHANIC'S LIEN WAIVER

**WELCOME HOME CENTERS, INC** of Brockway, Pennsylvania, ("CONTRACTOR"), entered into a contract with **JAMES A. BAINEY SR.** and **WENDY L. BAINEY** of 2420 Grahamton Road, Morrisdale, Pennsylvania, ("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 Graham 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 30<sup>th</sup> day of September, 2003, with full knowledge of the rights afforded the Subcontractor under the laws of the Commonwealth of Pennsylvania.

WELCOME HOME CENTERS, INC.

BY

*Patricia A. Iorfida*  
Patricia A. Iorfida  
Agent

FILED

COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF *Clearfield* : S.S.

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William A. Shaw  
Prothonotary/Clerk of Courts  
2004

On this, the 30<sup>th</sup> day of September, 2003 before me, the undersigned Officer, personally appeared Patricia A. Iorfida, who acknowledged herself to be an Agent for Welcome Home Centers, Inc., a Pennsylvania Corporation, and that she as an Agent, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by herself as an Agent.

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

*Traci L. Tosh*  
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 tract or piece of land situate in the Township of Graham, County of Clearfield and Commonwealth of Pennsylvania bounded and described according to a plan of Deer Creek Forest made by L. Wayne Laidacker, R.S., Bloomsburg, PA, dated June 18, 1991, bounded and described as follows, to-wit:**

**BEGINNING at the point of intersection of the title line in the bed of Game Lands Road (50 feet wide, a private road) and the title line in the bed of Fairview Road (50 feet wide, a private road); thence extending from said point of beginning along the said title line through the bed of Fairview road the 5 following courses and distances, viz: (1) N 68°44'03" E, 162.05 feet to a point, (2) N 69°27'00" E, 177.88 feet to a point, (3) N 71°45'00" E, 466.23 feet to a point and (4) N 78°53'10" E, 251.21 feet to a point, and (5) N 78°53'10" E, 89.50 feet to a point, a corner of land now or late of Margaret Hoover; thence extending along said land S 08°23'40" W, 664.12 feet to a point, a corner of Lot No. 5 on said plan; thence extending along said Lot No. 5 N 82°14'41" W, 948.44 feet to a point in the title line in the bed of Game Lands Road, aforesaid; thence extending along said title line through the bed thereof N 07°57'35" E, 215.45 feet to the first mentioned point and place of beginning. Being Lot No. 4 on said plan. Map #116-P08-000-00074.**

**BEING the same premises conveyed by Secretary of Veterans Affairs, an Officer of the United States of America, to James A. Bainey, by deed dated November 26, 1999 and recorded December 10, 1999 in Clearfield County as Instrument No. 199920229.**