

03-1527- CD
DEBORAH BELLMORE WEST, etal, vs. HALLSTRON CONSTRUCTION, INC.

03-1527-CD

STIPULATION AGAINST LIENS

THIS AGREEMENT, made the 10th day of October, 2003, by and between HALLSTROM CONSTRUCTION, INC., of 368 Kiwanis Trail, DuBois, Pennsylvania, hereinafter referred to as "CONTRACTOR"

AND

DEBORAH BELLMORE-WEST and JEFFREY BELLMORE, 214 East Cherry Street, Clearfield, Pennsylvania, hereinafter referred to collectively as "OWNER",

whereby the former undertook and agreed to make construction a building on that certain lot of ground situate in the Borough of Clearfield, Clearfield County, Pennsylvania, more particularly bounded and described as follows:

See attached description

NOW THEREFORE, THIS AGREEMENT WITNESSETH: That the said CONTRACTOR, for and in consideration of the sum of One (\$1.00) DOLLAR to Contractor in hand paid by OWNER, the receipt whereof is hereby acknowledged, and 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 and OWNER, 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 10th day of October, 2003.

ATTEST:

FILED

03:33 PM Per 2003
OCT 10 2003

HALLSTROM CONSTRUCTION, INC.

BY Robert E Grieve

ROBERT E. GRIEVE

William A. Shaw
Prothonotary

Daum L Shaw

Deborah Bellmore-West
Deborah Bellmore-West

Daum L Shaw

Jeffrey D Bellmore
Jeffrey Bellmore

ALL those certain pieces or parcels of land situate in the Borough of Clearfield, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

THE FIRST THEREOF: All that certain lot known in the Plan of Clearfield Borough as Lot No. 143 and bounded on the South by Cherry Street; on the East by Lot No. 148; on the North by an alley and on the West by Lot No. 132, being about 50 feet front by 172 feet deep.

EXCEPTING AND RESERVING therefrom the following described premises:

BEGINNING at a post on an alley, corner of Lots 143 and 132, now or formerly owned by Wolf Furniture Company; thence East along said alley 50 feet to a post at corner of Lot No. 148, now or formerly of the A. Robinson Estate; thence by line of Lot No. 148 South 72 feet to a post; thence West by a line parallel with said alley 50 feet to a post; thence North by line of Lot No. 132 to a post and place of beginning. Being the Northern portion of Lot No. 143 in the original plan of the Borough of Clearfield and having been conveyed by Anna M. Hoffman et al by their deed dated April 15, 1946, and recorded in Deed Book 374, page 492, to J. Roy Fullington.

THE SECOND THEREOF: All those two certain lots or parcels of ground bounded and described as follow: BEGINNING at a point, being the intersection Northwest corner of Third Street and Cherry Street; thence along the Easterly side of Third Street in a Northerly direction 172 feet, more or less, to an alley; thence along said alley in an Easterly direction 100 feet, more or less, to line of Lot No. 143, now or formerly owned by Anna M. Hoffman and Frances M. Hoffman; thence by line of said lot 172 feet, more or less, to line of Cherry Street; thence in a Westerly direction along Cherry Street 100 feet, more or less, to corner at Third Street and place of beginning and being known as Lots No. 127 and 132 in the original plot of the lots of said Borough of Clearfield.

EXCEPTING AND RESERVING therefrom all that certain part or parcels of Lots Nos. 127 and 132 as conveyed by deed of Harry E. Reilly et al, dated December 29, 1941, to Margery W. Kuhn, as recorded in Deed Book 340, page 366, and being described as follows:

BEGINNING at a point in the sidewalk at the Northwester corner of this property and at the intersection of the Eastern line of Third Street with the Southern line of a sixteen foot alley; thence by said alley East 100 feet to a spike in the Eastern line of Lot No. 132; thence by the Eastern line of Lot No. 132 South 99.1 feet to a spike; thence West 100 feet to a point in the brick at Third Street; thence by the Eastern line of Third Street North 99.1 feet to a point in sidewalk and place of beginning in accordance with survey and draft made by Roy C. Kindig, Engineer, on December 23, 1941.

EXCEPTING AND RESERVING FROM "The First Thereof", being Lot No. 143, a strip of land 10 feet in width and 100 feet in length from the Eastern side of Lot No. 148, which strip of land was included in the conveyance by Hepburnia Coal Company, Inc., to David S. Ammerman by deed dated January 26, 1989, and recorded in Deeds and Records Book Volume 1265, page 429.

ALSO as a part of the within conveyance are the rights, duties and obligations as contained in the Mutual Easement between Hepburnia Coal Company, Inc. of the one part and David S. and Theresa J. Ammerman of the other part, dated February 14, 1994, and recorded in Deeds and Records Book Volume 1587, page 489, being a mutual use right-of-way with an easement conveyed by Hepburnia Coal Company, Inc. to said David S. Ammerman et ux, being 12 feet in width and 100 feet in length over and upon the Eastern portion (being a part of the residue of Lot No. 143) herein conveyed and together with an easement from Davis S. Ammerman et ux to Hepburnia Coal Company, Inc., being 12 feet in width and 60 feet in length over the Northern portion of said lands conveyed to David S. Ammerman by Hepburnia Coal Company, Inc., recited above.

THE THIRD THEREOF: All that certain piece or parcel of land located in the Borough of Clearfield, County of Clearfield and State of Pennsylvania, bounded and described as follow: BEGINNING at a point in the sidewalk at the Northwestern corner of this property and at the intersection of the Eastern line of Third Street with the Southern line of a 16 foot alley; thence by said alley East 100 feet to a spike in the Eastern line of Lot No. 132; thence by the Eastern line of Lot No. 132 South 99.1 feet to a spike; thence West 100 feet to a point in the brick at Third Street; thence by the Eastern line of Third Street North 99.1 feet to a point in sidewalk and place of beginning in accordance with survey and draft made by Roy C. Kindig, Engineer, on December 23, 1941.

BEING the same premises conveyed to the Mortgagors herein by Deed of Fullington GMC Sales, Inc. dated August 7, 2003 and to recorded in the Office of the Register and Recorder for Clearfield County as Instrument No. 2003_____.