

03-1720-CD
BRITAN D. JACOBY, et al. vs. FINE LINE HOMES, INC.

STIPULATION AGAINST LIENS

BRIAN D. JACOBY AND THERESA
M. JACOBY

Owners

IN THE COURT OF COMMON PLEAS,

vs.

COUNTY OF CENTRE, PENNSYLVANIA

FINE LINE HOMES, INC.

Contractor

No. 03-1720-CD Term, 20

WHEREAS, BRIAN D. JACOBY AND THERESA M. JACOBY, of Houtzdale, Pennsylvania, are about to execute contemporaneously herewith, a contract, with FINE LINE HOMES, INC., of State College, Pennsylvania for the erection of a two story building upon a lot of land situate, lying and being in Houtzdale, Clearfield County, Pennsylvania, bounded and described on Exhibit A, attached hereto and made a part hereof.

NOW, November 14, 2003, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said Brian D. Jacoby and Theresa M. Jacoby, to the said Fine Line Homes, Inc. to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with Fine Line Homes, Inc. and the further consideration of One Dollar and 00/100 (\$1.00), to it in hand paid by Brian D. Jacoby and Theresa M. Jacoby, it is agreed that no lien shall be filed against the building by the contractor, or any sub-contractor, nor by any of the material men or workmen or any other person for any labor, or materials purchased, or extra labor or materials purchased for the erection of said building, the right to file such liens being expressly waived.

WITNESS, our hands and seals the day and year aforesaid.

Signed and Sealed in the presence of:

K. Y.
K. Y.

Brian D. Jacoby (SEAL)
Brian D. Jacoby

Theresa M. Jacoby (SEAL)
Theresa M. Jacoby

FINE LINE HOMES, INC.

By: Chasond Connor (SEAL)

EXHIBIT "A"

ALL that certain piece or parcel of land situate in Woodward Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located at the Southwest corner of Lot 9, herein described; thence along Lot 1, North zero (00) degrees twenty-nine (29) minutes eleven (11) seconds East a distance of twenty and two one-hundredths (20.02) feet to an iron pin; thence along the same South eight-six (86) degrees fifty-four (54) minutes fifty-two (52) seconds East a distance of one hundred twenty-four and sixteen one-hundredths (124.16) feet to an iron pin; thence along the same North sixteen (16) degrees fifty-two (52) minutes forty (40) seconds West a distance of one hundred fourteen and eighty-four one-hundredths (114.84) feet to an iron pin; thence along Lot 4 North sixty (60) degrees thirty-three (33) minutes fifty-two (52) seconds East a distance of one hundred seventy and fifty-two one-hundredths (170.52) feet to an iron pin; thence along Lot 5 South twenty-one (21) degrees fifty (50) minutes thirty (30) seconds East a distance of eighty-seven and fifty-nine one-hundredths (87.59) feet to an existing iron pin; thence along Lot 6 and Lot 7, South eighteen (18) degrees fifty-three (53) minutes thirty-nine (39) seconds East a distance of one hundred fifty and eighty-nine one-hundredths (150.89) feet to an existing iron pin; thence along the line of lands of Rosenberg, Vogle and Higgins, North eighty-six (86) degrees fifty-seven (57) minutes thirty-seven (37) seconds West a distance of three hundred and no hundredths (300.00) feet to an iron pin; thence along Lot 1, North eighty-six (86) degrees fifty-seven (57) minutes thirty-seven (37) seconds West a distance of twenty-one and twenty-two one-hundredths feet to an iron pin and the point of beginning.

CONTAINING 0.806 acres, more or less, and being Lot 9 as shown on the Reese Subdivision as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, Pennsylvania, 16639, said subdivision map having been recorded on January 14, 2000, being Instrument Number 200000693, Plat Book/Card #1951.

ALSO, granting to said Grantees the free and uninterrupted use, liberty and privilege, of using the private macadam drive which is shown on the survey map prepared by George A. Cree, recorded as Instrument Number 200000693, Plat Book/Card Number 1951. The Grantees will have the right to use said private macadam drive for ingress and egress to the above-described property and will be maintained by both parties.

UNDER AND SUBJECT to the reservation of all coal, gas and other minerals of every kind and description unto the Grantor, her heirs, successors and assigns.