

04-0316-CD

COSNER v. MICHAEL W. OWENS & SONS CUSTOM HOMES

**H. Judson Cosner et al vs Michael Owens
2004-316-CD**

H. JUDSON COSNER and
JEANNE M. COSNER,
and
MICHAEL W. OWENS & SONS CUSTOM HOMES

Owner(s)
Contractor(s)

IN THE COURT OF COMMON PLEAS,
County of CLEARFIELD,
State of PENNSYLVANIA
No. Term X 2004

Mechanic's Lien Waiver

THIS AGREEMENT, Made and entered into this the 3rd day of March 2004
by and between the Owner(s) of 3311 Long Road, Avon, Ohio 44011 -- Construction Property
address: Ross Road, Curwensville, Pennsylvania 16833
and the Contractor(s) of 5796 Clearfield-Woodland Highway, Clearfield, Pennsylvania 16830.

WHEREAS, the Owner(s) have this day entered into a written contract with the Contractor(s) for the
Construction of a 1850 square foot, one-story home with a 26' x 28' garage and separate
24' x 32' out building
in accordance with certain plans and specifications, and for the furnishing and providing of materials and labor
necessary therefor upon a plot of ground being all that certain piece or parcel of land

SEE ATTACHED PROPERTY DESCRIPTION

NOW, THEREFORE, it is hereby stipulated and agreed by and between the said parties as part of the said
Contract and for the consideration therein set forth, before any of the above construction is commenced, that Contractor,
for himself, herself, itself, themselves, his, her, its and their subcontractors, and all parties acting through
or under him, it or them, covenants and agrees that no mechanics' claims or liens shall be filed or maintained by
him, them, or any of them against the buildings and the lots of ground appurtenant thereto, or any of them, for or
on account of any work done or materials furnished by him, them or any of them, under this contract or otherwise,
for towards, in or about the erection and construction of the said buildings, or any of them, and Contractor, for
himself, herself, itself, themselves, his, her, its and their subcontractors, and others under him, her, it or them,
hereby expressly waives and relinquishes the right to have, file, or maintain any mechanics' lien or claim against
the buildings or any of them, and that this agreement waiving the right of lien shall be an independent covenant
and shall operate and be effective as well with respect to work and labor done and materials furnished under any
supplemental contract, verbal or written, or contract for extra work in the erection and construction of the said
buildings as to work and labor done and materials furnished under this contract.

This stipulation is made and intended to be filed with the CLEARFIELD County Prothonotary
in accordance with the requirements of the Act of Assembly of this State in such cases made and provided.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals the day and
year first above written.

FILED

MAR 04 2004

William A. Shaw
Prothonotary

H. Judson Cosner L.S.
H. JUDSON COSNER
Jeanne M. Cosner L.S.
JEANNE M. COSNER Owner(s)
Michael W. Owens, Sr. L.S.
MICHAEL W. OWENS, SR. Contractor(s)
SOLE OWNER OF MICHAEL W. OWENS & SONS
CUSTOM HOMES

Mechanic's Lien Waiver

No. _____ Term, ~~XX~~2004

H. JUDSON COSNER and
JEANNE M. COSNER _____

VS.

MICHAEL W. OWENS & SONS CUSTOM
HOMES _____ Contractor

Filed _____, ~~XX~~2004

ATTACHMENT

ALL that certain tract of land situate in the Township of Ferguson, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on line of S. McCulley; thence North 39 degrees West by R. C. Hamilton land 207.7 perches to a hornbeam; thence by land of Frampton McCracken North 72 3/4 degrees East 75 perches to a white pine stump; thence by line of land of L. B. Hile South 39 degrees East 182 perches to a post on line of S. McCully; thence by same South 52 degrees West 68.5 perches to a post and the place of **BEGINNING**.

CONTAINING 78 1/4 acres.

BEING further identified as Clearfield County Tax Parcel No. 113-F13-2 as shown on the Assessment Map in the Records of Clearfield County, Pennsylvania.

H. Judson Cosner
Jeanne M. Cosner
Ross Road
Curwensville, PA 16833