

2004-678-CD

WAIVER OF RIGHT TO FILE MECHANIC'S LIEN

WHEREAS, Owner, has entered into a contract with Torrell and Bernardo Land Corporation, General Contractor, with regard to construction of a residential condominium unit known as 23B Tower Lane, in the City of DuBois, Clearfield County, PA, on premises described on the attached Exhibit "A".

NOW, THEREFORE, it is hereby stipulated and agreed by and between the parties hereto, as part of the said contract and for the consideration therein set forth, that neither the undersigned General Contractor, any subcontractor, materialmen, or mechanic, nor any other person furnishing labor or materials to the said General Contractor under this contract shall file any mechanic's or other lien or claim for work done or material furnished in or about the performance of said contract against the ground upon which the structure or work herein provided for is erected or done or against any structure thereon erected or to be erected, or against any structure or property whatsoever covered by said contract.

THIS stipulation is specifically made with the purpose and intent that it be filed in the Prothonotary's Office of Clearfield County, Pennsylvania, in accordance with and under and by virtue of an Act titled Mechanic's Lien Law of 1963, P.L. 1175, No. 497, as amended, in order to operate as a complete waiver by the General Contractor and all subcontractors of the right to file any mechanic's lien of any nature and in any manner.

FILED
01:50 PM
MAY 14 2004

William A. Shaw
Prothonotary/Clerk of Courts

1 copy to Att

IN WITNESS WHEREOF, the said parties have caused this waiver to be
duly executed the 14th day of May, 2004.

WITNESS:

Owner:

Lance M. Muen

Jennifer L. Rezk (SEAL)
Jennifer L. Rezk

WITNESS:

Torrell and Bernardo Land Corporation,
General Contractor:

Paul J. Hill

By: Rob J. Bent (SEAL)

Release of Liens

Whereas, Jennifer L. Rezek, ("Owner") entered into a contract dated February 21, 2004, ("Contract") with the undersigned to provide materials and perform labor necessary for construction of a residential condominium unit known as 23B Tower Lane in the City of DuBois, County of Clearfield, and Commonwealth of Pennsylvania, and more particularly described as follows:

See Exhibit A Attached

Now, therefore, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiently of which is hereby acknowledged, the undersigned does hereby jointly and severally release and discharge the Owner from any and every liability arising out of the labor performed or materials supplied by the undersigned under the terms of the Contract.

IN WITNESS WHEREOF, the said undersigned has hereunto set his/her hand and seal this 13th day of May 2004.

Torrell and Bernardo Land Corporation

By 

COMMONWEALTH OF PENNSYLVANIA :

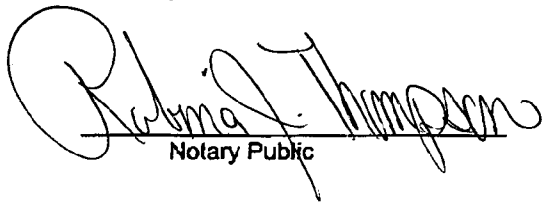
SS

COUNTY OF CLEARFIELD :

On this 13th day of May, 2004, before me, the undersigned officer, personally appeared Richard G. Bernardo, who acknowledged himself/herself to be the President of Torrell and Bernardo Land Corporation, a corporation, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as President.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission Expires:


Notary Public

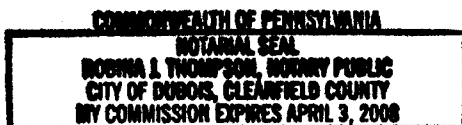


Exhibit A

**Jennifer L. Rezk
23B Tower Lane, DuBois, PA 15801**

Tax I. D. #007.5-022-7310

All that certain unit, designated as Unit No. 23B in the Tower Lane Condominiums, situated on that certain piece, parcel or lot of land in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows:

Beginning at an iron pin in the right of way line of Tower Lane, being also the northerly line of a 16 foot alley; thence by the right of way line of Tower Lane the following courses and distances: North 57 degrees 12 minutes 08 seconds West 129.91 feet to an iron pin; thence by a curve to the right with a 25 foot radius, having a chord of North 12 degrees 06 minutes 12 seconds West 35.42 feet to an iron pin; thence North 33 degrees 00 minutes 00 seconds East 345.44 feet to an iron pin; thence by a curve to the left with a 75 foot radius, having a cord of North 15 degrees 34 minutes 31 seconds East 44.92 feet to an iron pin; thence by a 25 foot right of way easement North 82 degrees 03 minutes 08 seconds East 113.65 feet to an iron pin; thence by same South 42 degrees 05 minutes 14 seconds East 85.49 feet to an iron pin in the northerly right of way of a 16 foot alley; thence by the northerly right of way of said 16 foot alley South 33 degrees 00 minutes 00 seconds West 465.33 feet to an iron pin and the place of beginning.

Containing 75,529 square feet or 1.66 acres.

As designated in the Declaration of Condominium for Tower Lane Condominiums dated August 30, 2000, recorded in the Office of the Recorder of Clearfield County as Instrument #200012889, and the Plats and Plans dated August 30, 2000, and recorded as Exhibits A, B, and C to the aforesaid Declaration of Condominium for Tower Lane Condominiums.

Together with all right, title and interest appurtenant to Unit 23B, being an undivided eight and 1/3 percent (8.33%) interest in and to the Common Elements as set forth in the above Declaration; and together with the right to use and enjoy any Limited Common Elements as designated in the above Declaration.

Further under and subject to the covenants and provisions of said Declaration of Condominiums for Tower Land Condominiums.

Being a portion of the same premises conveyed to Torrell and Bernardo Land Corp. by deed of Daniel J. Russell and Cynthia E. Russell, husband and wife, dated October 29, 1999, and recorded in the Office of the Recorder of Clearfield County as Instrument #199918632.

And being a portion of the same premises conveyed by Torrell and Bernardo Land Corp. to Torrell and Bernardo Land Corp. and Daniel J. Russell and Cynthia E. Russell, husband and wife, dated July 13, 1996, and recorded in the Office of the Recorder of Clearfield County in Volume 1816, page 540.