

04-949-CD
80 NORTH PARK PLACE ASSOCIATES vs JERRY PAULINELLI

80 North Park vs Jerry Paulinelli
2004-949-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

80 NORTH PARK PLACE ASSOCIATES, :

Owner :

vs. :

JERRY PAULINELLIE, :

Contractor :

04-949-CD
2004- -WML

WAIVER OF MECHANIC'S LIEN

FILED

JUN 18 2004

William A. Shaw
Prothonotary Clerk of Courts

THIS AGREEMENT, waiving the right to file Mechanic's Lien, is made this 18 day of

June, 2004, between 80 NORTH PARK PLACE ASSOCIATES, a partnership, located at 80 North Park Place, DuBois, Pennsylvania, 15801, hereinafter called "OWNER", and JERRY PAULINELLIE, a sole proprietor, with place of business at 5443 Wayne Road, DuBois, Pennsylvania 15801, hereinafter referred to as "CONTRACTOR".

WHEREAS, CONTRACTOR has agreed to furnish certain materials and labor for the construction of all interior electrical, plumbing on all that certain piece or parcel of land situate in the City of DuBois, Clearfield County, to which OWNER took title by deed at Clearfield County Instrument Number 2004 09861, and more particularly described as follows:

ALL that certain piece or parcel of land situate in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows;

BEGINNING at a point, said point being located on the southern line of Park Place, a fifty-foot street, said point also being located South 76° 54' 46" East a distance of 50.38 feet from the eastern line of an unopened fifty-foot street, said point also being the northwest corner of the parcel herein described; thence along the southern line of Park Place South 76°

54' 46" East a distance of 206.32 feet to a 3/4" iron pipe, said pipe being the northeast corner of the parcel herein described; thence along lands now or formerly of Penn-Haned Corporation South 20° 11' 26" West a distance of 158.78 feet to a point, said point being the southeast corner of the parcel herein described; thence along lands now or formerly of Tri-County Broadcasting Co., intended to be conveyed to Courier-Express Publishing Co., North 69° 54' 46" West a distance of 204.50 feet to a point, said point being the southwest corner of the parcel herein described; thence through lands of which this was a part and intended to be conveyed to Courier-Express Publishing Co., North 20° 05' 14" East a distance of 133.64 feet to a point, the place of beginning. CONTAINING 0.687 acres and being the residual of City of DuBois Parcel #5472 titled in the name of Tri-County Broadcasting Co.

NOW, THEREFORE, it is hereby stipulated by and between the said parties as part of the said Contract and for the consideration set forth, that before any of the above construction is commenced, neither the undersigned CONTRACTOR, any sub-contractor or Materialman, nor any other person furnishing labor or materials to the said CONTRACTOR under the contract above referred to, shall file a lien commonly known as a Mechanic's Lien, for work done or materials furnished to the said building or any part thereof.

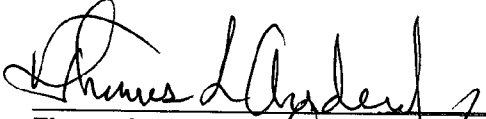
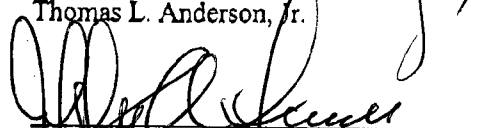
This stipulation is made and intended to be filed with the Clearfield County Prothonotary in accordance with the requirements of the Act of Assembly of Pennsylvania in such cases made and provided.

CONTRACTOR acknowledges that he, it or they have inspected the land in question and that no part of it has been disturbed by the CONTRACTOR or any one claiming by or through him prior to the execution of this Agreement.


IN WITNESS WHEREOF, the parties have properly executed this Agreement the day and year first above written.

OWNER:

80 NORTH PARK PLACE ASSOCIATES


 Thomas L. Anderson, Jr.

 Jeffrey A. Samick

CONTRACTOR:


 Jerry Paulinellie

AFFIDAVIT

STATE OF PENNSYLVANIA :
 :
 COUNTY OF *MERCER* :SS
 :

Before me, the undersigned officer, personally appeared THOMAS L. ANDERSON, JR. and JEFFREY A. SAMICK, partners d/b/a 80 NORTH PARK PLACE ASSOCIATES, who being duly sworn according to law deposes and says that they are the Owner in the foregoing Waiver of Mechanic's Lien, and further that they executed the foregoing Waiver of Mechanic's Lien for the purposes contained therein.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 14th day of June, 2004.


 Notary Public



Notarial Seal
 Ranulfo K. Gracilla, Jr., Notary Public
 City of Sharon, Mercer County
 My Commission Expires Oct. 1, 2006

AFFIDAVIT

STATE OF PENNSYLVANIA :
 :SS
COUNTY OF *MERCER* :

Before me, the undersigned officer, personally appeared JERRY PAULINELLIE, who being duly sworn according to law deposes and says that he is the Contractor in the foregoing Waiver of Mechanic's Lien, and further that he executed the foregoing Waiver of Mechanic's Lien for the purposes contained therein.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 14th day of June, 2004.



Notary Public



Notarial Seal
Ranulfo K. Gracilla, Jr., Notary Public
City of Sharon, Mercer County
My Commission Expires Oct. 1, 2006



FILED No cc

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JUN 18 2004

Atty Peters Smith
pd. 20.00

William A. Shaw
Prothonotary/Clerk of Courts