

04-1095-CD  
JAMES RICHARD MOYER, et al VS KENNETH J FORNEY, d/b/a  
QUALITY FINISH SERVICES

James Moyer et al vs Kenneth Forney et al  
2004-1095-CD

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

JAMES RICHARD MOYER, LARRY  
KENNETH MOYER and LORINE ANN  
SMITH,  
Owners

No. 04-1095-CD

and

KENNETH J. FORNEY, d/b/a  
QUALITY FINISH SERVICES,  
Contractor

FILED No cc

07/12/04  
JUL 20 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**WAIVER OF MECHANIC'S LIEN**

WHEREAS, the undersigned, entered into a Contract with James R. Moyer, Larry K. Moyer and Lorine Ann Smith, of 110 Mt. Joy Road, Clearfield, Pennsylvania, 16830, as the Contractor for the installation of a Down Draft Spray Booth ("Spray Booth") in accordance with a contract dated April 22, 2004, at the premises situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

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

BEGINNING at a Spanish oak on the north bank of Moose Creek being a corner on division line between lands now or late of R.E. Shaw and lands of H.B. Shaw; thence along the line of lands late of R.E. Shaw and up along Moose Creek north 33 degrees 26 minutes west four hundred and twenty-seven (427) feet, more or less, to a point thirty-three (33) feet distant from the right angles to the center line of the Clearfield and Mahoning Railway as now constructed; thence by a line and parallel with and thirty-three (33) feet distant from said center line north 55 degrees 30 minutes east fifty-six (56) feet to a post on the west line of Mount Joy Road; thence along said road South 25 degrees 38 minutes east three hundred and fifty-six (356) feet, more or less, to a white oak; thence continuing along said road south 18 degrees 30 minutes east to the place of beginning.

BEING the same premises conveyed to James Richard Moyer, Larry Kenneth Moyer and Lorine Ann Smith by deed of Caroline Moyer dated January 28, 1993 and recorded in Clearfield County Deeds and Records Book Volume 1512, page 289.

NOW, THEREFORE, BY THESE PRESENTS WITNESSETH: That in consideration of the grant of the Contract for the installation of the Spray Booth to the undersigned, and for the performance of said work and the sum of \$1.00 in hand paid at or before the signing and delivery

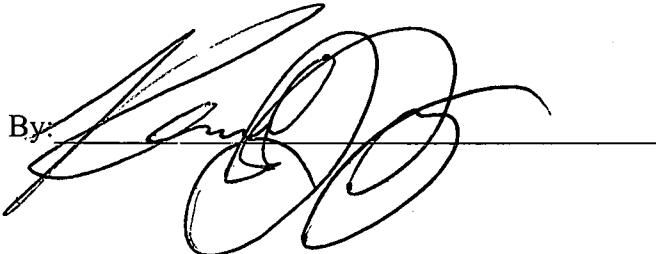
hereof, the undersigned, covenants and agrees that no Mechanic's Lien or Materialman's Lien or claims shall be maintained or filed by the undersigned, or by any contractor, sub-contractor, person, firm or corporation, or any of them against the above described premises or lot or other appurtenances thereto, for or on account of any work done or materials furnished by him in the installation of the Spray Booth under the Contract to furnish all the labor and materials in and about the aforesaid work; and for the undersigned, himself, his heirs and assigns, and all others acting through or under him, hereby expressly waives and relinquishes the right to have filed and maintained any Mechanic's Lien or Materialman's Lien or claim against said building on the above described premises or any part thereof, and the undersigned further agrees that this agreement waiving the right to file a lien is an individual covenant and shall operate and be effective with respect to materials furnished and labor performed under the said Contract for the installation of the Spray Booth or any extra additions to be made to said Contract in and about said building or premises.

QUALITY FINISH SERVICES

ATTEST/WITNESS:

Daniel J. Alpert

By:



COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS.  
:

On this the 16<sup>th</sup> day of July, 2004, before me the undersigned authority personally appeared, Kenneth J. Forney, who acknowledged himself to be the owner of QUALITY FINISH SERVICES, a sole proprietorship and that as such, he being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing his name thereon as such officer and subscribed before me the day and year aforesaid.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and official seal.

Daniel J. Albert  
Notary Public

My Commission Expires: 3/26/06

Notarial Seal

Daniel J. Albert, Notary Public  
Warrington Twp., York County

My Commission Expires Mar. 26, 2006

Member, Pennsylvania Association Of Notaries