

04-1268-CD

CHARLES T. BUTLER, III, et al

VS

HAUBERT HOMES

Charles Butler et al vs Haubert Homes  
2004-1268-CD

## STIPULATION AGAINST LIENS

CHARLES T. BUTLER, III and  
AMY R. BUTLER, his wife  
Homeowners

vs.

HAUBERT HOMES  
Contractor

In the Court of Common Pleas, County of

Clearfield, Pennsylvania

Number \_\_\_\_\_ Term, 2004

2004-1268-C0

WHEREAS, **CHARLES T. BUTLER, III** and **AMY R. BUTLER**, his wife, currently of 217 Spike Island Road, Osceola Mills, Pennsylvania, 16666, about to execute contemporaneously herewith, a contract, with **HAUBERT HOMES**, General Contractor of HCR 63 Box 46, Mifflintown, Pennsylvania, 17059, for the construction of home improvements to a residential building upon premises situate at 211 Baughman Cemetery Road, Decatur Township, Clearfield County, Osceola Mills, Pennsylvania, 16666, bounded and described as follows:

Please see attached Legal Description

Exhibit "A"

NOW, this 16 day of AUGUST, 2004, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **CHARLES T. BUTLER, III** and **AMY R. BUTLER**, his wife, to the said **HAUBERT HOMES**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **CHARLES T. BUTLER, III** and **AMY R. BUTLER**, his wife, and the further consideration of One Dollar, to **HAUBERT HOMES**, paid by **CHARLES T. BUTLER, III** and **AMY R. BUTLER**, his wife, 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, materials purchased for the erection of said building, the right to file such liens being expressly waived.

FILED

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

AUG 17 2004

SIGNED AND SEALED IN THE PRESENCE OF:

*Dana C. Shaw*  
\_\_\_\_\_  
\_\_\_\_\_

*Charles T. Butler, III*  
Charles T. Butler, III  
Homeowner

*Amy R. Butler*  
Amy R. Butler  
Homeowner

*Haubert Homes*  
Haubert Homes  
Contractor

**LEGAL DESCRIPTION  
FOR  
CHARLES T. BUTLER, III  
&  
AMY R. BUTLER, HIS WIFE  
(211 BAUGHMAN CEMETERY ROAD, OSCEOLA MILLS, PA 16666)**

**ALL** that parcel of land known as the combination of Lots 1 and 2 of the Frank K. and Mary C. Snyder Subdivision dated October 25, 2003, lying 2 ½ miles Northwest of Osceola Mills, Decatur Township, Clearfield County, Pennsylvania, and being more particularly described as follows:

**BEGINNING** at a mag nail set in the centerline intersection of Pennsylvania State Route 970 with Township Road T-663, also known as Baughman Cemetery Road, thence along the centerline of Baughman Cemetery Road the following courses and distances: 1) South 61 degrees 30 minutes 23 seconds West a distance of 594.95 feet; 2) South 60 degrees 41 minutes 46 seconds West a distance of 172.66 feet; 3) South 56 degrees 50 minutes 29 seconds West a distance of 70.20 feet; 4) South 53 degrees 39 minutes 19 seconds West a distance of 31.69 feet; 5) 188.58 feet along an arc of a circle, curving to the right with a 1492.97 foot radius, the long chord of which bears South 54 degrees 30 minutes 43 seconds West a distance of 44.64 feet to the point of beginning and being the northernmost corner of the land herein conveyed and running; thence South 40 degrees 20 minutes 58 seconds East a distance of 369.21 feet, through lands of the Grantor to a 3/4 inch rebar set, said line passing through a 3/4 inch rebar set at 16.94 feet; thence South 30 degrees 15 minutes 54 seconds West a distance of 219.43 feet, through lands of the Grantor to a 3/4 inch rebar set at the Eastern corner of Lot 2 of the above referenced subdivision; thence North 32 degrees 49 minutes 19 seconds West a distance of 252.54 feet, through lands of the Grantor to a point at the Southern corner of Lot 3 of the above referenced subdivision; thence North 30 degrees 15 minutes 54 seconds East the distance of 288.61 feet, along Lot 3 to the Southwestern line of Lot 1; thence North 40 degrees 20 minutes 58 seconds West a distance of 238.72 feet, along Lot 3 to a point in the centerline of Baughman Cemetery Road; thence North 62 degrees 36 minutes 21 seconds East a distance of 21.58 feet, along the centerline of Baughman Cemetery Road to a point; thence 188.58 feet along an arc of a circle, curving to left with a 1492.97 radius, the long chord of which bears North 58 degrees 59 minutes 14 seconds East a distance of 188.45 feet, along the same to a point and place of beginning.

**TOGETHER** with and subject to covenants, easements and restrictions of record.

**CONTAINING** 3.583 acres total minutes 0.080 acre for the right of way of Baughman Cemetery Road, leaving 3.503 acre net and known as the combination of Lots 1 and 2 of the Frank K. and Mary C. Snyder Subdivision, as shown on map prepared by Curry and Associates dated October 25, 2003. Bearings based on True North. Being a part of lands conveyed by Grantor by Instrument Numbers 200323206 and 200400266.

**BEING** the same premises conveyed to the Grantor herein by the following deeds of conveyance: 1) Deed of Frank K. Snyder and Mary C. Snyder, to the Grantors herein, dated December 24, 2003, Clearfield County Instrument Number \_\_\_\_\_; 2) Deed of Frank K. Snyder and Mary C. Snyder to the Grantors herein, dated January 5, 2004, Clearfield County Instrument Number 200400266.

**BEING** the same premises as vested in Charles T. Butler, III and Amy R. Butler, his wife by deed of Charles T. Butler, III, et ux dated the 23<sup>rd</sup> day of January, 2004, and recorded in the Office of the Recorder of Deeds of Clearfield County to Instrument Number 200401790.