

04-1380-CD
CURWENSVILLE PRESBYTERIAN CHURCHES VS. GARRY M. JOZEFIK

Curwensville Presby vs Garry Jozefik
2004-1380-CD

WAIVER OF RIGHT TO FILE

MECHANIC'S LIEN

FILED <sup>ICC Atty
Robert Stewart</sup>
m/15/04 SEP 03 2004 ^{Atty Pd. 20.00}
 William A. Shaw
 Prothonotary/Clerk of Courts

WHEREAS, Curwensville Presbyterian Church, 430 Locust Street, Curwensville, PA 16833, entered into a contract with **Garry M. Jozefik**, Contractor, P.O. Box 123, Woodland, PA, to provide materials and perform labor necessary for renovations to the church building which renovations may include but not be limited to erection, construction, alteration or repair to the said building and associated lands as described in Exhibit A. Attached hereto, upon a lot of ground located in Curwensville Borough, Clearfield County, PA as it more fully described upon Exhibit A attached hereto.

NOW, THEREFORE, it is hereby stipulated and agreed by and between said parties, as part of the said contract and for the consideration therein set forth, that neither the undersigned contractor, any subcontractor or material man, nor any other person furnishing labor or materials to the said contractor under this contract shall file a lien, commonly called 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 County Prothonotary within ten (10) days after date hereon, in accordance with the requirements of Act of Assembly of Pennsylvania, in such case provided.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their
hands and seals the _____ day of August, 2004.

CONTRACTOR:

By: Garry M. Jozefik
Garry M. Jozefik

Attest:



OWNER:

By: W.W. Stewart
President, Board of Trustees

Attest:

Barbara Stewart
Clerk of Session

John Jozefik
Pastor

LEGAL DESCRIPTION

EXHIBIT A

PARCEL I

ALL that certain messuage, tenement and lot of ground situate in the said Borough of Curwensville, County of Clearfield, Commonwealth of Pennsylvania and known as Lot ____ in the Plot or Plan of said Borough adjoining the lot on which the new Presbyterian Church now stands and extending from said lot along Locust Street in said Borough sixty (60) feet to an alley. And extending thence back one hundred ninety (190) feet to an alley.

Being same lands title to which became vested in the Curwensville Presbyterian Church by deed of Eliza Irvin, et. al., said deed being dated August 18, 1869 and recorded in Deed Docket 12 at page 282.

And the same lands were also conveyed to the Curwensville Presbyterian Church by deed of William Irvin and Jane Irvin by their deed dated July 31, 1869 and recorded in Deed Docket 12 at page 281 on August 31, 1876..

PARCEL II

ALL that certain messuage, tenement and lot of ground situate in the said Borough of Curwensville, County of Clearfield, Commonwealth of Pennsylvania and known as Lot ____ in the Plot or Plan of said Borough adjoining the lot on which the new Presbyterian Church now stands and extending from said lot along Locust Street in said Borough sixty (60) feet to an alley. And adjoining the lot conveyed to Curwensville Presbyterian Church by the widow and heir of John Irvin, deceased and also the lot of ground on which the Quaker Meeting House stands.

Being same lands title to which became vested in the Curwensville Presbyterian Church by deed of Eliza Irvin, et. al., said deed being dated August 18, 1869 and recorded in Deed Docket 12 at page 282.

PARCEL III

ALL that certain messuage, tenement in two lots of land situate in the Borough of Curwensville, County of Clearfield, Commonwealth of Pennsylvania.

Bounded and described as follows viz:

On the East by Locust Street the Northwest by an alley; on the South by Lot #66 and known in the general Plan of said Borough as Lots 67 and 68 containing each lot sixty (60) feet in front and one hundred ninety (190) feet back.

Being the same lots that John Irvin by deed date 21 August, 1837 and recorded in said County in Deed Book F at page 466, among other things conveyed to William Irvin who by his indenture bearing date 20th day of the fourth month A.D., 1838, conveyed the same to David Spackman, in trust, for the Centre Monthly Meeting, the present Grantor as by reference being had unto the said indenture recorded at Clearfield, Pennsylvania in Deed Book _____ at page _____ folio 62 will more fully and at large appear.

The said William Spackman was subsequently appointed Trustee of the Centre Monthly Meeting and by his deed dated October 15, 1879 and recorded November 13, 1879 in Deed Docket 15 at pages 139 and 140 conveyed the property described herein unto the Curwensville Presbyterian Church.