

04-1440-CD
STEVEN A BRAZINSKI VS. ROGER L. DUFFEE

2004-1440-CD

WAIVER OF RIGHT TO FILE MECHANIC'S LIEN

WHEREAS, Owner, has entered into a contract with Steven A. Brazinski and Roger Duffee, General Contractors, with regard to construction of a residential dwelling, in the Township of Sandy, County of Clearfield and Commonwealth of Pennsylvania, 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 Contractors, any subcontractor, materialmen, or mechanic, nor any other person furnishing labor or materials to the said General Contractors 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 Contractors and all subcontractors of the right to file any mechanic's lien of any nature and in any manner.

FILED

SEP. 17 2004

William A. Shaw

Prothonotary/Clerk of Courts

IN WITNESS WHEREOF, the said parties have caused this waiver to be
duly executed the 1st day of September, 2004.

WITNESS:

Loreen M. Myers

WITNESS:

Loreen M. Myers

Clarion L. Rosman (SEAL)
Clarion L. Rosman, Owner

Mary Ann Rosman (SEAL)
Mary Ann Rosman, Owner

Steven A. Brazinski (SEAL)
Steven A. Brazinski, Contractor

Roger Duffee (SEAL)
Roger Duffee, Contractor

Release of Liens

Whereas, Claron L. Rosman and Mary Ann Rosman ("Owner") entered into a contract dated July 9, 2004 ("Contract") with the undersigned to provide materials and perform labor necessary for construction of a residential dwelling known as Section 6a, Lots 31 and 32, Treasure Lake Subdivision located in the Township of Sandy, 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 sufficiency 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 1st day of September 2004.

Steven A. Brazinski, Contractor

Roger Duffee, Contractor

COMMONWEALTH OF PENNSYLVANIA

:

:

SS

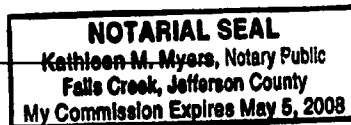
COUNTY OF Clearfield

:

On this 1st day of September, 2004, before me, the undersigned officer, personally appeared Steven A. Brazinski, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

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

My Commission Expires:



Kathleen M. Myers
Notary Public

COMMONWEALTH OF PENNSYLVANIA

:

:

SS

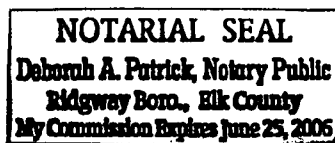
COUNTY OF Elk

:

On this 1st day of September, 2004, before me, the undersigned officer, personally appeared Roger Duffee, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

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

My Commission Expires:



Deborah A. Patrick
Notary Public

Exhibit A

**Claron L. Rosman and Mary Ann Rosman
Section 6A, Lots 31 and 32, Treasure Lake Subdivision, Sandy Township,
Clearfield County, PA**

Tax I. D. #128.0-C02-00031 and 00032 – 21

All those certain two tracts of land designated as Lot No. 31 and 32, Section No. 6A, "Jamaica" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

Excepting and Reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc; which lien shall run with the land and be an encumbrance against it.

Being the same two parcels conveyed by deed of Robert Burke and Colleen Burke, husband and wife, to Steven A. Brazinski, an individual, dated September 3, 2003, and recorded in the Office of the Recorder of Clearfield County as Instrument #200316010.

And Being the same two parcels conveyed by deed of Steven A. Brazinski and Eileen A. Brazinski, his wife, by her Attorney-in-Fact, Steven A. Brazinski, to Claron L. Rosman and Mary Ann Rosman, husband and wife, dated September 1st, 2004, and intended to be recorded herewith.