

04-1544-CD  
MUTH EXCAVATION VS. MICHAEL L. KRISHART, ETAL.

Muth Excavation vs Michael Krishart et al  
2004-1544-CD

**WAIVER AND RELEASE OF MECHANIC'S LIEN**

04-1544-02

THIS WAIVER AND RELEASE OF MECHANIC'S LIEN is made, executed and delivered as of this 10<sup>th</sup> day of September, 2004, by MUTH EXCAVATION, whose address is R.D. 3, Box 211, Punxsutawney, Pennsylvania 15767, hereinafter referred to as "Contractor";

TO

MICHAEL L. KRISHART and RITA J. KRISHART, husband and wife, whose address is 614 West Washington Avenue, DuBois, Pennsylvania 15801, hereinafter referred to as "Owners".

**WITNESSETH THAT:**

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, Contractor hereby waives, releases, and relinquishes any and all liens or claims, or the right to lien or claim, and/or the right to file a lien or claim, including, without limitation, a mechanic's lien claim, for labor or materials, or for both, furnished or to be furnished to Owners, in connection with the erection of a residential dwelling in and upon premises which are located and situated in the City of DuBois, Clearfield

**FILED**

OCT 04 2004

William A. Shaw  
Prothonotary/Clerk of Courts2cc  
Atty Lhota  
pd 20.00

County, Pennsylvania, more fully described in Exhibit A which is attached hereto and made a part hereof.

IN WITNESS WHEREOF, Muth Excavation has caused this waiver and release of mechanic's lien to be executed and delivered as of the day and year first above written.

WITNESS:

Patricia A. Joneshenis

MUTH EXCAVATION

By

Danny J. Muth

**EXHIBIT A**  
**TO WAIVER AND RELEASE OF MECHANICS' LIEN**  
**FROM MUTH EXCAVATION**  
**TO MICHAEL L. KRISHART and RITA J. KRISHART**

ALL that certain piece, parcel or tract of land situate, lying and being in the City of DuBois, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at the Southeast intersection of West Washington Avenue and Yates Alley; thence in an Easterly direction along the Southern line of West Washington Avenue 60 feet to a post at the corner of Lot No. 285 of the John Rumbarger Addition; thence in a Southerly direction along the line of Lot No. 285 180 feet to a post on Clinton Alley; thence in a Westerly direction along the Northern line of Clinton Alley sixty (60) feet to a post on Yates Alley; thence in a Northerly direction along the Eastern line of Yates Alley 180 feet to a post on West Washington Avenue, the place of beginning. Being a rectangular parcel of ground 60 feet by 180 feet in size, and bounded on the North by West Washington Avenue; on the East by Lot No. 285 of the John Rumbarger Addition; on the South by Clinton Alley and on the West by Yates Alley. Having thereon erected a large two-story frame dwelling house known as No. 713 West Washington Avenue.

**BEING the same premises which Mary L. Mohny, a widow, granted and conveyed to Michael L. Krishart and Rita J. Krishart, husband and wife, under a deed dated March 7, 1969 which is recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deed Book 545, Page 357.**

JOHN R. LHOTA, P.C.  
ATTORNEY AT LAW  
110 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

OCT 04 2004