

04-1548-CD
JEWELL ELECTRIC, et al. vs. JUNIATA LAKE PROPERTIES, LLC

Jewell Electric et al vs Juniata Lake Prop
2004-1548-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JEWELL ELECTRIC; D.T.
CONSTRUCTION; GARY'S, INC.;
ROBERT POWELL & SONS; and
C.J. MILES

Contractors,

vs.

JUNIATA LAKE PROPERTIES, LLC

Owners.

2004 - 1548 - cv

No. 1548 of 2004

Type of Pleading:

**CONTRACT STIPULATION/NO-LIEN
AGREEMENT**

Filed on Behalf of:

Owners

Counsel of Record for these
Parties:

BERNARD P. MATTHEWS, JR., ESQ.
Pa. I.D. #54880

**MEYER, DARRAGH, BUCKLER,
BEBENEK & ECK, PLLC**
114 South Main Street
Royers Building
Greensburg, PA 15601

Phone: (724) 836-4840

*I hereby certify that this property is located at
10 Lakeside Avenue Dubois, PA 15801
as described at Instrument No. 200302102*

Bernard P. Matthews, Jr., Esquire

FILED

OCT 05 2004

0/10:05 | *WAS*
William A. Shaw
Prothonotary

1 CENT TO Absolute

WHEREAS, Owner is the owner of property located at 10 Lakeside Avenue, Dubois, PA 15801, Clearfield County, as described at Instrument No. 200302102 ("Property"); and

WHEREAS, Contractor has agreed to make certain improvements upon the property in connection with renovations and remodeling.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in consideration of the premises, and of the terms and conditions of the Contract above mentioned, and in compliance with the Mechanics' Lien Law of 1963, Act of August 24, 1963, P.L. 1175, 43 P.S. § 1101, et seq., and § 1402, as amended (the "Act"), and with the intent that the parties hereto be legally bound hereby, the Owner and Contractor do covenant, stipulate and agree as follows:

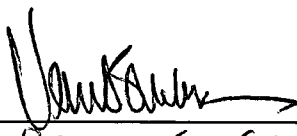
It is specifically agreed by and between the parties that the Contractor shall not file nor will it permit or suffer any subcontractor, materialman, mechanic or other person under it to file, nor shall the Contractor or any subcontractor, materialman, or other person file any mechanics' or other lien or claim for work done or material furnished in or about the excavation or construction of any improvements whatsoever to the Property, or for any extra work performed in connection therewith against the Property or against any structures, improvements or fixtures thereon erected or to be erected, or against any structures, improvements, fixtures or other property whatsoever; and Contractor does hereby agree to defend, indemnify and hold Owner harmless for and against all such claims or liens, if any such liens are filed against Owner and/or the Property.

It is the full intent of the Contractor, and the Contractor does by the execution hereof, for itself, its successors and assigns, and for any subcontractor, materialman, mechanic or other person claiming for himself, itself or themselves waive the right to file a mechanics' lien or other lien or claim against the Owner and/or Property for work done, or materials furnished in connection with construction of a residence on or improvements to the Property or any extra work performed in connection therewith.

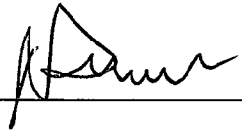
This Contract is made and intended to be filed in the Office of the Prothonotary of Westmoreland County, Pennsylvania, in accordance with the requirements of the Act.

WITNESS the due execution hereof the day and year first above written.

OWNER:

By: 
PRESIDENT - SUNNYSIDE LAKES PROPERTIES


CONTRACTOR, JEWELL ELECTRIC

By: 

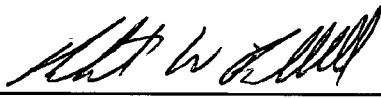
CONTRACTOR, D. T. CONSTRUCTION

By: 

CONTRACTOR, GARY'S, INC.

By: 

ROBERT POWELL & SONS

By: 

C. J. MILES

By: 

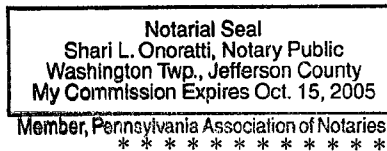
COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF CLEARFIELD)

On this, the 9th day of SEPT., 2004, before me, the undersigned officer,
personally appeared VERNON L. SHAPPER, JR, a duly authorized agent or
representative of JUNIATA LAKE PROPERTIES LLC. 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 purposes therein contained.

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

Shari L. Onoratti {SEAL}
Notary Public

My Commission Expires:



COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF CLEARFIELD)

On this, the 9th day of Sept., 2004, before me, the undersigned officer,
personally appeared DENNIS TUBBS, a duly authorized agent or
representative of D.T. Construction, 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 purposes therein contained.

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

Shari L. Onoratti {SEAL}
Notary Public

My Commission Expires:

Notarial Seal
Shari L. Onoratti, Notary Public
Washington Twp., Jefferson County
My Commission Expires Oct. 15, 2005
Member, Pennsylvania Association of Notaries

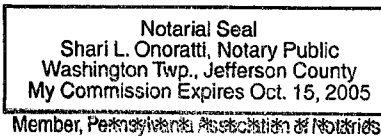
COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF CLEARFIELD)

On this, the 9th day of Sept., 2004, before me, the undersigned officer,
personally appeared Robert Powell, a duly authorized agent or
representative of Robert Powell & Sons, 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 purposes therein contained.

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

Shari L. Onoratti {SEAL}
Notary Public

My Commission Expires:



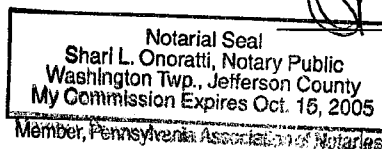
COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF CLEARFIELD)

On this, the 9th day of Sept., 2004, before me, the undersigned officer,
personally appeared GARY G. WALBORN, a duly authorized agent or
representative of Contractor, Gary Inc., 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 purposes therein contained.

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

Shari L. Onoratti {SEAL}
Notary Public

My Commission Expires:



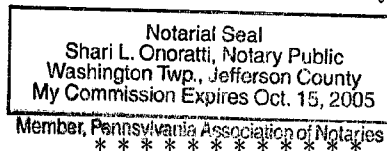
COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF CLEARFIELD)

On this, the 9th day of Sept., 2004, before me, the undersigned officer,
personally appeared DON JEWELL, a duly authorized agent or
representative of JEWELL ELECTRIC, 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 purposes therein contained.

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

Shari L. Onoratti {SEAL}
Notary Public

My Commission Expires:



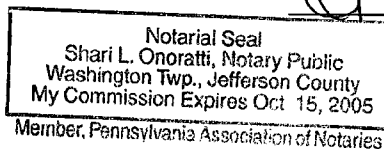
COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF CLEARFIELD)

On this, the 9th day of Sept., 2004, before me, the undersigned officer,
personally appeared CHARLES J. MILES, a duly authorized agent or
representative of C.J. Miles, 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 purposes therein contained.

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

Shari L. Onoratti {SEAL}
Notary Public

My Commission Expires:



ALL that certain premises situate in **Sandy Township**, Clearfield County, Pennsylvania; AND

ALL those certain pieces or parcels of land situate, lying and being in the **City of DuBois**, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

THE FIRST THEREOF: BEGINNING at the Southeast corner of Lot No. 36 on the Northerly side of Prospect Avenue in what is known as the John E. DuBois Addition (Lakeside) to the City of DuBois; thence along Prospect Avenue, South $72^{\circ} 17'$ West 100 feet; thence along the line of Lot No. 35 owned by A. Vickland, North $17^{\circ} 43'$ West 166 feet; thence along Northerly side of an alley, South $72^{\circ} 17'$ West 195.1 feet; thence along the Easterly side of another alley, North $15^{\circ} 47'$ West 518.3 feet; thence North $47^{\circ} 07'$ East 935 feet; thence South $84^{\circ} 53'$ East 1015 feet to an iron pipe; thence South $52^{\circ} 53'$ East 438.4 feet to an iron pipe; thence South $38^{\circ} 8'$ East 417.4 feet to an iron pipe; thence South $70^{\circ} 10'$ East 331 feet to an iron pipe; thence North $89^{\circ} 20'$ East 683.3 feet to an iron pipe; thence South 6° West 188 feet to an iron pipe; thence South $68^{\circ} 54'$ East 187.3 feet to an old road; thence South $6^{\circ} 43'$ West 202 feet to an iron pipe; thence South $51^{\circ} 57'$ West 239.1 feet to an iron pipe; thence South $10^{\circ} 10'$ West 506.5 feet to an iron pipe; thence South $89^{\circ} 20'$ West 1874.2 feet to an iron pipe in an alley; thence along said alley, North $21^{\circ} 30'$ East 189.3 feet to an iron pipe; thence North $63^{\circ} 42'$ West 135.1 feet to an iron pipe; thence Southwesterly on a line parallel with the original center line of the Juniata Railroad and 15 feet distant therefrom 466 feet, more or less, to the Eastern boundary of Third Street; thence Northerly along the Eastern boundary of Third Street to the Northern boundary of Lakeside Avenue; thence Westerly along the Northern boundary of Lakeside Avenue and following the course of the said Lakeside Avenue division line between Lot No. 9 and Lot No. 10; thence Northerly along the division line of Lot No. 9 and Lot No. 10 to an alley; thence Easterly along the said alley to the Eastern boundary of Lot No. 23; thence by the eastern line of Lot No. 23 in said Lakeside Addition, North $17^{\circ} 43'$ West 216 feet to the place of beginning. Containing 40.3 acres in Sandy Township and 65.28 acres within the City of DuBois.

BEING the same premises which were conveyed to the DuBois Country Club by deed of C. R. Hoevet, et al., dated December 8, 1947 and recorded at Clearfield, Pennsylvania, in Deed Book No. 388, page 333.

THE SECOND THEREOF: BEGINNING at an iron pipe at the Southeast corner of lands of the DuBois Country Club; thence along lands of the DuBois Country Club, North 10° 10' East a distance of 506.5 feet to an iron pipe; thence North 51° 57' East a distance of 239.1 feet to an iron pipe; thence North 6° 43' East a distance of 202.0 feet to an old road; thence North 68° 54' West a distance of 187.3 feet to an iron pipe; thence North 6° 00' East a distance of 18.0 feet to an iron pipe; thence South 89° 20' West a distance of 683.3 feet to an iron pipe; thence North 70° 10' West a distance of 331.0 feet to an iron pipe on the boundary line between Sandy Township and City of DuBois; thence along said boundary line East a distance of 2020 feet more or less to the center line of the Pennsylvania Electric Company transmission line; thence along said transmission line, South 15° 30' East a distance of 490.0 feet more or less to a point; thence continuing along said transmission line, South 15° 30' East a distance of 490° feet more or less to a point; thence continuing along said transmission line, South 3° 08' East a distance of 816.0 feet more or less to a point; thence South 89° 20' West a distance of 1364.0 feet more or less to a point; thence North 10° 10' East a distance of 100.0 feet to the place of beginning. Containing approximately 36 acres, more or less.

UNDER AND SUBJECT TO, and with reversions and restrictions following: said premises may be used only for recreational purposes of the Grantee, a non-profit enterprise, and if the same be used for any other purpose, or if there be cessation or abandonment of said use, title thereto shall revert to and be vested in the City of DuBois; there is excepted and reserved all timber of a merchantable nature, which timber shall be cut only under the supervision of the City of DuBois, the same to be cut at the sole expense of the said Grantee, and shall be subject to use or sale or otherwise as the said City shall direct, any profits therefrom running to the sole benefit and use of the said City.

BEING the same premises which were conveyed to the DuBois Country Club by deed of the City of DuBois, dated June 14, 1956 and recorded at Clearfield, Pennsylvania, in Deed Book No. 471, page 535.

THE THIRD THEREOF: BEGINNING at a point being the Northwestern corner of land now or formerly known as the Tennis Court area; thence in an Easterly direction 175 feet along said tennis court to a stake; thence in a Southerly direction 190 feet, more or less, to the creek; thence along line of creek 185 feet, more or less, to a stake; thence in a Northerly direction 250 feet, more or less, on a line parallel to the Country Club clubhouse and being 57 feet, more or less, from said clubhouse to a stake and place of beginning. Containing 9/10 of an acre, more or less.

BEING the same premises which were conveyed to the DuBois Country Club by deed of the Country Club Swimming, Incorporated, dated August 22, 1962 and recorded at Clearfield, Pennsylvania, in Deed Book No. 498, page 40.

THE FOURTH THEREOF: (Situate in Sandy Township) **BEGINNING** at a concrete monument in the Northern line of the City of DuBois, said monument being a corner of lands of the DuBois Country Club; thence by line of lands of the DuBois Country Club, North 38° 15' West 419.1 feet, more or less, to a concrete monument; thence still by same, North 53° 00' West 438.8 feet, more or less, to a concrete monument; thence by lands of Green Glen Corporation, Easterly 2674.9 feet, more or less, to a point on or about the center line of the Pennsylvania Electric Company transmission line right of way; thence by said right of way line in a Southerly direction 614.9 feet, more or less, to a point in the Northern line of the City of DuBois; thence by said northern line, Westerly 2194.1 feet, more or less, to a concrete monument and the place of beginning. All bearings being magnetic, and containing 33 acres, more or less.

EXCEPTING AND RESERVING, however, all coal, oil, gas and other minerals, together with the right to remove the same. As far as possible all rights of mining and drilling, and ingress, egress and regress, shall be exercised so as not to interfere with the development or use of the property as a recreational facility.

BEING the same premises which were conveyed to the DuBois Country Club by deed of Green Glen Corporation, dated June 23, 1967 and recorded at Clearfield, Pennsylvania, in Deed Book No. 531, page 489.

THE FIFTH THEREOF: BEGINNING at a stone monument on the Northern boundary line of the old Juniata Railroad Grade, said stone further described as being North 14° 18' West a distance of 86.67 feet from a stone monument at the intersection of the Southern street line of Lakeview Avenue and the Eastern line of the first alley east of Fourth Street; thence South 14° 18' East 26.67 feet to an iron pin; thence North 87° 11' West 90.62 feet to an iron pin on the Northern boundary line of the old Juniata Railroad Grade; thence along the said old Juniata Railroad Grade, North 75° 42' East 86.61 feet to a stone monument, the place of beginning.

BEING the same premises which were conveyed to the DuBois County Club by deed of Patricia R. McIntosh and Gerald E. McIntosh, dated November 14, 1968 and recorded at Clearfield, Pennsylvania, in Deed Book No. 544, page 241.

ALSO all of the right, title and interest of the Mortgagor in and to the following:

THE SIXTH THEREOF: ALL that certain lot or piece of land, purporting to be owned by the heirs of John E. DuBois, now deceased, situate in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows:

On the North by City line; on the East by John E. DuBois Estate; on the South by City of DuBois and Lakeside Avenue; and on the West by an alley, Frank Vicklund, O.L. Coleman and D. E. Shoemaker.

BEING the same premises which were conveyed to the Board of Governors of DuBois Country Club by deed of John E. DuBois Heirs by City Treasurer, dated July 6, 1938 and recorded at Clearfield, Pennsylvania in Deed Book No. 333, Page 58.

THE SEVENTH THEREOF: ALL those certain pieces or parcels of land situate in the City of DuBois and Sandy Township, Clearfield County, Pennsylvania, referred to by number in the Decree of the Court of Common Pleas of Clearfield County, Pennsylvania, dated September 29, 1941 and entered to No. 104 December Term, 1941, as follows:

A portion of the parcel of land identified in said decree as Parcel 15, comprising seated land located in the Third Ward of the City of DuBois conveyed by deed for 2-1/10 acres hereto annexed and marked "Parcel 15 - Item 1", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; also comprising the same area of seated land located in the he Third Ward of the City of DuBois conveyed, inter alia, as 2--278/1000 A. by deed from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71, the original of the last mentioned Treasurer's deed being marked "Parcel 15 - Item 2", and annexed to a certain deed from the grantors herein to John E. DuBois, Jr., administrator d.b.n.c.t.a of the Estate of John E. DuBois, deceased, the said 2--278/1000 A. being specifically reserved from the said deed to John E. DuBois, Jr., administrator, d.b.n.c.t.a. of the Estate of John E. DuBois, deceased, the said 2--278/1000 A. being specifically reserved from the said deed to John E. DuBois, Jr., administrator, d.b.n.c.t.a. of the Estate of John E. DuBois, deceased.

A parcel of land identified in said Decree as Parcel 22, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 3/4 acre hereto, annexed and marked "Parcel 22 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for lot hereto annexed and marked "Parcel 22 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 27, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 7 lots hereto, annexed and marked "Parcel 27 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #11 Blk., 7 lots hereto annexed and marked "Parcel 27 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 28, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 10 lots hereto, annexed and marked "Parcel 28 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #2 Blk., 10 lots hereto annexed and marked "Parcel 28 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 29, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 5 lots hereto, annexed and marked "Parcel 29 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #10 Blk., 5 lots hereto annexed and marked "Parcel 29 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 30, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 12 lots hereto, annexed and marked "Parcel 30 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #7 Blk., 12 lots hereto annexed and marked "Parcel 30 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 31, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 14 lots hereto, annexed and marked "Parcel 31 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #3 Blk., 14 lots hereto annexed and marked "Parcel 31 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 32, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 14 lots hereto, annexed and marked "Parcel 32 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #6 Blk., 11 lots hereto annexed and marked "Parcel 32 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 33, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 5 lots hereto, annexed and marked "Parcel 33 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #5 Blk., 4

lots hereto annexed and marked "Parcel 33 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 34, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 10 lots hereto, annexed and marked "Parcel 34 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #4 Blk., 10 lots hereto annexed and marked "Parcel 34 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 35, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 11 lots hereto, annexed and marked "Parcel 35 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #1 Blk., 11 lots hereto annexed and marked "Parcel 35 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 36, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 2 lots hereto, annexed and marked "Parcel 36 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #8 Blk., 1 lot hereto annexed and marked "Parcel 36 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 37, comprising seated land located in the Third Ward of the City of DuBois conveyed (1) by deed for 8 lots hereto, annexed and marked "Parcel 37 - Item 1", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71; (2) by deed for #9 Blk., 8 lots hereto annexed and marked "Parcel 37 - Item 2", from H. F. Bigler, Jr., Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 133, page 71.

A parcel of land identified in said Decree as Parcel 58, comprising seated land located in Sandy Township conveyed by deed for 40 A. hereto, annexed and marked "Parcel 58", from H. F. Bigler, Jr. Treasurer of the County of Clearfield to the County Commissioners of the County of Clearfield, dated December 31, 1937, recorded in the Office of the Prothonotary in Continuance Docket No. 136, page 466.

BEING the same premises which were conveyed to the DuBois Country Club by deed of the County Commissioners of Clearfield County, dated February 4, 1942 and recorded at Clearfield, Pennsylvania in Deed Book No. 341, page 106.