

05-234-CD  
D. Smith et al vs. Welcome Home

PER

Dawn Smith et al v. Welcome Home Center  
2005-234-CD

# Stipulations Against Liens

Dawn M. Smith )  
 Robert D. Smith ) OWNERS)  
 )  
 vs. )  
 )  
 Welcome Home Center )  
 ) CONTRACTOR)

In the Court of common Pleas  
 County of Clearfield

FILED 200  
 01/24/05  
 FEB 18 2005  
 William A. Shaw  
 Prothonotary/Clerk of Courts

Number 05-234-CD Term,

WHEREAS, ROBERT D. SMITH AND DAWN M. SMITH, 3018 Weber Road, Mahaffey, Pennsylvania, are about to execute contemporaneously herewith, a contract with Welcome Home Center, of RR #2, Box 429A, Brockway, Pennsylvania, 15824, for the erection of a residential building upon a lot of land situate at 780 Miller Road (P.C.102-C11-000-00015), Mahaffey, Clearfield County, Pennsylvania 15757, as set forth on the attached Exhibit "A".

NOW, February 16, 2005, at the time and of and immediately before the execution of the principal contract, and before any authority has been given by the said Owners to the said Contractor to commence work on the said building, or purchase materials for the same in consideration of One Dollar, to Contractor paid by Owners, 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, or materials purchased, or extra labor or materials purchased for the erection of said building, the right to file such liens being expressly waived.

WITNESS, our hands and seals the day and year aforesaid

SIGNED AND SEALED IN THE PRESENCE)

WELCOME HOME CENTER

BY:

Patricia J. Jeyda (SEAL)

Robert D. Smith (SEAL)  
 ROBERT D. SMITH

Dawn M. Smith (SEAL)  
 DAWN M. SMITH

AND **ROBERT D. SMITH** and **DAWN M. SMITH**, husband and wife, of 3018 Weber Road, Mahaffey, Clearfield County, Pennsylvania 15757, as tenants by the entirety,

**GRANTEES**

**WITNESSETH**, that in consideration of One Dollar (\$1.00) and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey to the said Grantees, their heirs and assigns,

**ALL** those certain pieces, parcels or tracts of land situate, lying and being in **BELL TOWNSHIP CLEARFIELD COUNTY, PENNSYLVANIA**, bounded and described as follows, to-wit:

**FIRST: BEGINNING** at a post and corner of land now or formerly of Samuel A. McGee; thence along said land now or formerly of McGee, North  $51\frac{1}{2}$  degrees East 96  $\frac{6}{10}$  perches to a stone on said line; thence by lands now or formerly of F.B. Miller, South  $38\frac{1}{2}$  degrees East 35  $\frac{3}{10}$  perches to stones and corner of lands now or formerly of R.S. Miller; thence by lands now or formerly of Samuel Sunderlin; thence by lands now or formerly of Sunderlin North  $38\frac{1}{2}$  degrees West 43  $\frac{3}{10}$  perches to the place of beginning. **CONTAINING 20 acres.**

**RESERVING** the coal and mining rights as were conveyed by J.F. Miller, et ux., to Samuel Hall on November 1, 1902 as recorded in Deed Book 152, at page 139.

**SECOND: BEGINNING** at a stone and corner of lands now or formerly of C.D. Miller on line of land now or formerly of Samuel Sunderlin; thence along said line North  $38\frac{1}{2}$  degrees West 35  $\frac{3}{10}$  perches to a stone on said line; thence along lands now or formerly of T.B. Miller, North  $51\frac{1}{2}$  degrees East 90  $\frac{6}{10}$  perches to a stone on line of other lands now or formerly of T.B. Miller; thence along line of other lands now or formerly of C.D. Miller, South  $38\frac{1}{2}$  degrees East, 35  $\frac{3}{10}$  perches to a chestnut sapling and corner of lands now or formerly of C.D. Miller, South  $51\frac{1}{2}$  degrees West, 90  $\frac{6}{10}$  perches to the place of beginning. **CONTAINING 20 acres, neat measure**

**RESERVING** out of and from the operation of this instrument a lot containing one acre, more or less, situate at or near the farm house located on the above-described premises, and having erected thereon a one-story dwelling house, heretofore conveyed by J.F. Miller and Cora A. Miller to Beatrice Sharp and Harry Sharp, her husband, by Deed dated the 1<sup>st</sup> day of October 1933, and recorded in Deed Book 334, at page 278.

**AND BEING** the **SECOND** and **THIRD** parcels of property, more particularly described in a Deed dated December 15, 1962, from Cora A. Miller, widow, Grantor, to Ralph Miller and Ronald Miller, as tenants in common, Grantees, of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 504, at page 596, and in a Deed dated April 23, 1966, from Ralph Miller, single, to Ronald Miller, of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 521, at page 409.

The premises are more particularly identified in the Clearfield County Assessment Records as Parcel No. 102-C11-000-00015, assessed as 39 agricultural vacant acres.

**EXHIBIT "A"**