

05-239-CD  
P. Bankovich et al vs. McCloskey

McCLOSKEY HOMES, INC.

Patrick Bankovich et al v. McCloskey Homes  
2005-239-CD

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - AT LAW

FILED No. 05-239-CD  
FEB 22 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

PATRICK W. BANKOVICH and  
NICOLE H. BANKOVICH,  
Owners/Plaintiffs

vs.

MCCLOSKEY HOMES, INC.,  
Contractor/Defendant

No. 05-239-CD

**CONTRACTOR'S WAIVER OF LIEN**

It is understood and agreed that the above named Contractor/Defendant will not file any Mechanic's Lien Claim or similar encumbrance for labor, material, or services furnished pursuant to a contract for the construction, erection, alteration, or repair of any building or improvement on land of Patrick W. Bankovich and Nicole H. Bankovich, Owners, located in the Treasure Lake Subdivision, Section No. 6, Lot No. 167, Sandy Township, Clearfield County, Pennsylvania, described on the attached Exhibit "A".

It is further understood that the execution of this agreement shall bind the undersigned Contractor, any Subcontractors dealing through him, any materialmen, or any other person providing services through any contract or agreement with the said Contractor or the said Owners.

The Contractor does hereby verify that on this date no work or services have been performed pursuant to the Construction Agreement, and no deliveries have been made to the Owners' premises.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 21st day of February, 2005.

**OWNERS:**

Patrick W. Bankovich  
Patrick W. Bankovich  
Nicole H. Bankovich  
Nicole H. Bankovich

**CONTRACTOR:**

**McCloskey Homes, Inc.**

By: Lon McCloud

To the Prothonotary:

Kindly index this in the name of the Contractor as both the Plaintiff and Defendant, and in the name of the Owners as both Plaintiff and Defendant.

### **EXHIBIT A**

**ALL** that certain tract of land designated as Lot No. 167, Section No. 6 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Map Book No. 24.

**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 Miscellaneous Book Volume 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 Treasure Lake, Inc. or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.