

05-245-CD  
Fleming Jr. et al vs. B. McCracken

S. McCracken

James Fleming et al v. Barbara McCracken  
2005-245-CD

## WAIVER OF MECHANIC'S LIEN

05-245-(1)

THIS WAIVER OF MECHANIC'S LIEN is made, executed and delivered as of this 21<sup>st</sup> day of February, 2005, by JAMES C. FLEMING, JR., an adult individual, t/a JIM FLEMING GENERAL CONTRACTING, a sole proprietorship, whose address is P.O. Box 10, Grampian, Pennsylvania 16838, hereinafter referred to as "Contractor";

TO

BARBARA S.. McCRACKEN, an adult individual, whose address is P.O. Box 214, Grampian, Pennsylvania 16838, hereinafter referred to as "Owner".

### 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 does hereby waive, release, and relinquish any and all liens or claims and/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 both, furnished to the date hereof, as to premises which are located and situated in Grampian Borough, Clearfield County, Pennsylvania, more fully described in Exhibit A which is attached hereto and made a part hereof.

IN WITNESS WHEREOF, JAMES C. FLEMING, JR., an adult individual t/a JIM FLEMING GENERAL CONTRACTING, a sole proprietorship, has executed and delivered this waiver of mechanic's lien as of the day and year first above written.

WITNESS:

JIM FLEMING GENERAL CONTRACTING

By:   
James C. Fleming, Jr.  
Sole Proprietor

FILED

FEB 22 2005

William A. Shaw  
Prothonotary

EXHIBIT A  
TO WAIVER OF MECHANICS' LIEN  
FROM JAMES C. FLEMING, JR. T/A  
JIM FLEMING GENERAL CONTRACTING,  
A SOLE PROPRIETORSHIP  
TO BARBARA S. McCracken

ALL those two certain lots or pieces of ground situate in the Borough of Grampian, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The one thereof, beginning at post on Flynn (2) Street and corner of alley, thence North 35 degrees 15 minutes East by same 50 feet to a post corner of Lot No. 122; thence North 51 degrees 30 minutes West 150 feet to be the same more or less and along line of Lot No. 122 to a post on alley; thence South 34 degrees 30 minutes West 50 feet by same to a post on alley; thence by same South 51 degrees 30 minutes East 150 feet to be the same more or less to a post corner of alley and Flynn, Second Street, and place of beginning. Being known as Lot No. 121 in the Plot of the Borough of Grampian, and being the same premises which I. B. Norris, et al. by their deed dated October 20, 1911 and recorded in Deed Book No. 193 granted and conveyed to said Sarah A. Wall, at page 268. Having erected thereon one two story frame dwelling house and other outbuildings and appurtenances, and the intention of this description being to include all the added length of lot in excess of 150 feet made by recent changes of location of street.

The other thereof, beginning at a post on First St., corner of lot of Sarah A. Wall, thence North 55 degrees 15 minutes West 186 feet to post corner on alley; thence by line of said alley North 34 degrees 45 minutes East 10 feet; thence by line South 55 degrees 15 minutes East 186 feet to First St.; thence by line of said First St. South 34 degrees 45 minutes East 10 feet to place of beginning.

BEING the same premises which William J. Bonsall and James A. Bonsall, co-executors under the last will and testament of Alvin G. Bonsall a/k/a A.G. Bonsall, deceased, granted and conveyed to Norman D. McCracken and Barbara S. McCracken, husband and wife, under a deed dated July 29, 1985 which is recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deeds and Records Book 1028, Page 296. The aforesaid Norman D. McCracken died subsequent to July 29, 1985, thus vesting sole title in and to the aforesaid premises in Barbara S. McCracken, his wife and surviving spouse, surviving tenant by the entirety.

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