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05-849-CD

E. Oliver et al vs. Superior Walls

Eric Oliver et al v. Superior Home Sales  
2005-849-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

ERIC M. OLIVER and  
PAMELA S. OLIVER, his wife,  
(Plaintiff)

CIVIL ACTION

64 Small St., P.O. Box 232  
(Street Address)

No. 05-849-CD

Smithmill, PA 16680  
(City, State ZIP)

Type of Case: Civil

Type of Pleading: Waiver of Mechanics' Lien

VS.

SUPERIOR WALLS  
(Defendant)

Filed on Behalf of:

Plaintiff

(Plaintiff/Defendant)

R.D. 2, Box 147A,  
(Street Address)

Middlebury, PA 17842  
(City, State ZIP)

JOSEPH COLAVECCHI, ESQUIRE

(Filed by)

221 E. Market St, Clearfield, PA 16830  
(Address)

(814) 765-1566  
(Phone)

(Signature)

FILED Attypd. 20.00  
06/25/2005 No CC  
JUN 15 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

WAIVER OF MECHANICS' LIEN

WHEREAS, SUPERIOR WALLS, of R.D. 2, Box 147A, Middlebury, PA 17842,

hereinafter referred to as CONTRACTOR, entered into a construction agreement dated the 18 of April, 2005, with ERIC M. OLIVER and PAMELA S. OLIVER, his wife, OWNERS, of 64 Small Street, P.O. Box 232, Smithmill, Pennsylvania, 16680, said contract being to provide material and perform labor necessary for the construction of a basement upon a lot of ground located on that certain piece or parcel of land situated in Gulich Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the northern side of T-540, said pin being the southeast corner of the parcel herein described; thence along T-540, South forty-eight (48) degrees thirty-two (32) minutes forty-five (45) seconds West, a distance of two hundred eleven and sixty-two one-hundredths (211.62) feet to an iron pin; thence along the same, South fifty-six (56) degrees twenty-one (21) minutes forty-five (45) seconds West, a distance of thirty-five and no hundredths (35.00) feet to an iron pin; thence along the line of land of Rick Oliver, North thirty-three (33) degrees thirty-eight (38) minutes sixteen (16) seconds West, a distance of two hundred twenty-eight and seventy-eight one-hundredths (228.78) feet to an iron pin; thence along

the same, North fifty-six (56) degrees twenty-one (21) minutes forty-four (44) seconds East, a distance of three hundred seventy-three and thirty-nine one-hundredths (373.39) feet to an iron pin; thence along the same, South zero (00) degrees fifty-two (52) minutes zero (00) seconds East, a distance of two hundred thirty-seven and eighty-six one-hundredths (237.86) feet to an iron pin and the point of beginning.

Containing 1.511 acres, more or less, as shown on the Survey of Land prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, Pennsylvania, 16639, said Subdivision Map being recorded at Clearfield County as Instrument Number 200506018.

BEING part of the same premises conveyed to Eric M. Oliver and Pamela S. Oliver, his wife, from Richard L. Oliver and Mary Ann Oliver, his wife, by deed dated the 19 day of April, 2005, recorded at Clearfield County as Instrument Number 200508549.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the said parties, as part of the said contract or proposal and for the consideration therein set forth, that neither the undersigned contractor, any sub-contractor or material man, nor any

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other person furnishing labor or materials to the said contractor under this contract shall file a lien, commonly called a Mechanics' Lien, for any work done or materials furnished to the said building or any part thereof.

This stipulation is made and intended to be filed with the Clearfield County Prothonotary, in accordance with the requirements of Act of Assembly of Pennsylvania, in such case provided.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals this 8 day of June, 2005.

WITNESS:

Kelly Bowers

CONTRACTOR:

SUPERIOR WALLS

BY

Jerry Spangler (SEAL)

OWNERS:

Eric M. Oliver

Pamela S. Oliver

(SEAL)

(SEAL)

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