

05-1016-CD

Brian Frank et al vs. S&A Homes

2005-1016-CD

Brian Frank et al v. S&A Homes

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

BRIAN L. FRANK & CIVIL ACTION
SUSAN (Plaintiff) R. FRANK

195 Fifth St.
(Street Address)

Houtzdale, Pa. 16651
(City, State ZIP)

No. 05-1016-CD

Type of Case: Stipulation
against liens

Type of Pleading: _____

Filed on Behalf of:

VS.

S+A Homes
(Defendant)

(Plaintiff) Defendant

2903 Benner Pike
(Street Address)

Bellefonte, Pa 16823
(City, State ZIP)

Fidelity Closing Services, LLC.
(Filed by)

341 N. Science Park Rd.
(Address) Suite 203, State College
PA. 16803

861-2700

(Phone)

(Signature)

FILED NOCC

01:30 PM
JUL 13 2005 Fidelity Closing
pd. 20.00

W.A. Shaw
William A. Shaw
Prothonotary/Clerk of Courts

STIPULATION AGAINST LIENS

BRIAN L. FRANK
SUSAN R. FRANK

vs

S & A HOMES
CONTRACTOR

No. _____ Term, 2005

Filed _____ 2005

STIPULATIONS AGAINST LIENS

**BRIAN L. FRANK
SUSAN R. FRANK
OWNERS**

vs.

**S & A HOMES
2903 Benner Pike, Bellefonte, PA 16823
CONTRACTOR**

) IN THE COURT OF COMMON PLEAS,
) COUNTY OF CENTRE, PENNSYLVANIA
)
)
) Number _____, Term 20 ____
)
)

WHEREAS, BRIAN L. FRANK and SUSAN R. FRANK, of Woodward Township, Clearfield County, Pennsylvania, are about to execute contemporaneously herewith, a contract, with S & A HOMES of Bellefonte, Pennsylvania, for the construction of a Home upon a lot of land situate (See Legal Description attached hereto and made a part hereof)

NOW, June __, 2005, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said Owner to the said Contractor to commence work on the said building, or purchase materials for the same, in consideration of the making of the said contract with Owner, and the further consideration of One Dollar to Contractor paid by Owner, 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 foundation, the right to file such liens being expressly waived.

WITNESS, our hand and seal the day and year aforesaid.

SIGNED AND SEALED IN THE
PRESENCE OF:

Brian L. Frank
BRIAN L. FRANK
Susan R. Frank
SUSAN R. FRANK

S & A HOMES

By: *Ann P. C. Amy*
(Print here)

Christopher A. Schramm

EXHIBIT "A"
LEGAL DESCRIPTION

ALL that certain parcel of land and improvements thereon situate in the Township of Woodward, County of Clearfield and Commonwealth of Pennsylvania, and designated as part of Parcel No. 130-M14-410-00003 and more fully described in a Deed dated May 3, 2005 and recorded May 24, 2005 in Clearfield County in Instrument #200507313, granted and conveyed unto Brian L. Frank and Susan R. Frank, as tenants by the entireties.

ALSO granting to said Grantees the free and interrupted use, liberty and privilege, of a 50 foot wide access road, together with free ingress, egress and regress, to and for the said Grantees, their heirs and assigns, their tenants and under tenants, occupiers or possessors of the said Grantees, including without limitation, the right to construct, install, maintain, operate and or repair underground utility lines, underground water lines and or sewage lines, cable television lines, electric lines, natural gas lines and/or telephone lines in, under and/or upon aforesaid premises, more fully described as follows:

BEGINNING at an exiting iron pin located along the western side of Fifth Street, said pin being the northeast corner of the access easement described herein; thence along Fifth Street South nineteen (19) degrees fifty-four (54) minutes fifty-nine (59) seconds East, a distance of fifty-three and ninety-two one-hundredths (53.92) feet to an existing iron pin; thence along the Residual Lot North eighty-nine (89) degrees forty-seven (47) minutes three (03) seconds West, a distance of one hundred ninety-four and thirty-five one-hundredths (194.35) feet to an iron pin; thence along Lot 1 North eighty-nine (89) degrees forty-seven (47) minutes three (03) seconds West, a distance of one hundred fifty-five and no hundredths (155.00) feet to an iron pin; thence along the line of land of Reese North three (03) degrees eight (08) minutes eleven (11) seconds East, a distance of fifty and seven one-hundredths (50.07) feet to an existing square rail; thence along the line of land of Carl E. Rattay South eighty-nine (89) degrees fifty-three (53) minutes thirty-five (35) seconds East, a distance of three hundred twenty-eight and twenty-four one-hundredths (328.25) feet to an existing iron pin and the point of beginning.

Containing 0.391 acre, more or less, and being the fifty (50) foot easement as shown on the Reese/Frank Subdivision as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, Pennsylvania, 16639.

UNDER AND SUBJECT to the reservation of all coal, gas, oil and other minerals of every kind and description unto the Grantor, her heirs, successors and assigns.