

05-1161-CD  
Van P. Johnston et al vs Wayne Neeper et al

**Van Johnston et al vs Wayne Neeper et al**  
**2005-1161-CD**

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

VAN P. JOHNSTON and BARBARA A. \*  
JOHNSTON,

Owner,

vs.

\* NO. 05-11601-CD

WAYNE NEEPER, t/d/b/a  
WAYNE C. NEEPER BUILDING &  
REMODELING,

Contractor

\* Type of Case: CIVIL

\* Type of Pleading: STIPULATION  
\* AGAINST LIENS \*

\* Filed on behalf of: Owners: Van P.  
\* Johnston and Barbara A. Johnston

\* Counsel of Record for PETITIONER:  
\* BARBARA J. HUGNEY-SHOPE, ESQ.  
\* Supreme Court I. D. No. 26274  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* (814) 765-5155

FILED 1CC Shope  
01/23/2005 Atty pd  
AUG 08 2005 2000  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

# STIPULATION AGAINST LIENS

VAN P. JOHNSTON and BARBARA A. ) In the Court of Common Pleas, County of  
JOHNSTON, )  
Owner )  
vs. ) Clearfield, Pennsylvania  
WAYNE NEEPER, t/d/b/a )  
WAYNE C. NEEPER BUILDING & ) Number \_\_\_\_\_ Term, 2005  
REMODELING )  
Contractor )

WHEREAS, VAN P. JOHNSTON and BARBARA A. JOHNSTON, husband and wife, of 13658 Old Erie Pike, Clearfield, Clearfield County, Pennsylvania, are about to execute contemporaneously herewith a contract with WAYNE NEEPER, an individual, t/d/b/a NEEPER CONSTRUCTION, of R. D. 1, Curwensville, Clearfield County, Pennsylvania, for the erection of a one-story three (3) bedroom framed house upon a lot of land situate in Lawrence Township, Clearfield County, Pennsylvania;

ALL those certain lots in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Northern edge of a 25 foot street; thence South 41 degrees 34 minutes East 150 feet along the northern edge of said street to another point; thence North 48 degrees 26 minutes East 167.5 feet along the line of Lot 34 to a point; thence North 57 degrees 20 minutes West 156.75 feet along lands formerly of Russell A. Shaw to a point; thence South 48 degrees 26 minutes West 125 feet along the line of Lot 30 to a point and place of beginning.

BEING Lots Number 31, 32, and 33 in the Maxwell Ross Plot of Lots.

BEING the same premises conveyed to Van P. Johnston and Barbara A. Johnston by deed of William Harry Cutler and Harriet C. Cutler a/k/a Harriet E. Cutler dated February 9, 2005, and recorded in the Clearfield County Office of the Recorder of Deeds as Instrument Number 200501867.

NOW, this \_\_\_\_\_ day of July, 2005, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said Van P. Johnston and Barbara A. Johnston to the said Wayne C. Neeper t/d/b/a Wayne C. Building and Remodeling, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with Wayne C. Neeper t/d/b/a Wayne C. Neeper Building and Remodeling, and the further consideration of ONE DOLLAR, to Wayne C. Neeper t/d/b/a Wayne C. Neeper Building and Remodeling paid by Van P. Johnston and Barbara A. Johnston, it is agree that no lien shall be filed against the building by the contractor, or any sub-contractor, or 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 OF

WAYNE C. NEEPER BUILDING & REMODELING

W E Neper

Wayne C Neper (SEAL)  
By: Contractor

Barbara A. Johnston

Van P. Johnston (SEAL)  
Van P. Johnston, Owner

as to both

Barbara A. Johnston (SEAL)  
Barbara A. Johnston, Owner

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

On this, the 25 day of July, 2005, before me, the undersigned authority, personally appeared Wayne C. Neeper t/d/b/a Wayne C. Neeper Building and Remodeling, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and official seal.



Notary Public  
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Dennis E. Borger, Notary Public  
Curwensville Boro, Clearfield County  
My Commission Expires Apr. 10, 2009

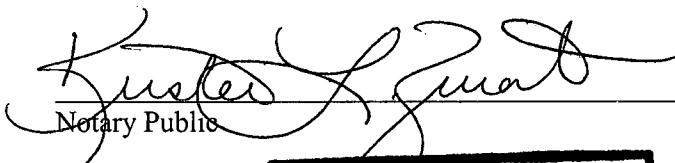
Member, Pennsylvania Association of Notaries

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

On this, the 3rd day of <sup>August</sup> ~~July~~, 2005, before me, the undersigned authority, personally appeared Van P. Johnston and Barbara A. Johnston, husband and wife, known to me (or satisfactorily proven) to be the person whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and official seal.

  
Notary Public

My Commission Expires:

NOTARIAL SEAL  
KRISTEN L. ZURAT, NOTARY PUBLIC  
CLEARFIELD BORO, CLEARFIELD CO., PA  
MY COMMISSION EXPIRES MAY 7 2009

FILED

AUG 08 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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Deutsche Bank, NY Branch
Chemung Valley Bank, Pleasant Valley
First Commonwealth Bank, NY Branch
173-777-18-1447-AW

