

05-1170-CD

Thompson Hill Homes vs James V. Vida et al

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2005-1170-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Thompson Hill Homes
(Plaintiff)

CIVIL ACTION

367 Southridge Rd.
(Street Address)

No. 05-1170-CD

St. Marys PA 15857
(City, State ZIP)

Type of Case: _____

Type of Pleading: _____

VS.

Filed on Behalf of:

James V. Vida et ux
(Defendant)

(Plaintiff/Defendant)

814 Chestnut Avenue
(Street Address)

DuBois PA 15801
(City, State ZIP)

Falcon Research: Settlement
(Filed by)

4181 Brookville St., Hawthorn PA 16230
(Address)

814-365-5455
(Phone)

FILED

01337/01
AUG 08 2005

William A. Shaw
Prothonotary/Clerk of Courts

cc Falcon

Falcon pd.

20.00

[Signature]
(Signature)

MECHANIC'S LIEN WAIVER

THOMPSON HILL HOMES of 367 Southridge Road, St. Marys, Pennsylvania, ("CONTRACTOR"), entered into a contract with JAMES V. VIDA and CHERYL L. VIDA of 814 Chestnut Avenue, DuBois, Pennsylvania, ("OWNERS") to furnish labor and/or materials for construction of a modular home (the "Contract") to be situate on property owned by Owners situate in Brady Township, Clearfield County, Pennsylvania, more particularly described on Exhibit "A" hereof.

NOW THEREOF, as part of the Contract and for the consideration therein set forth, Contractor waives any right that Contractor now has or in the future may have to file a lien, commonly called a mechanic's lien, against the above described real estate or against the improvements located thereon to secure payment for work done or materials furnished by Contractor, or any other person furnishing labor or materials to the Contractor under the Contract. It is the intention of the parties that this Waiver shall be recorded in the Office of the Prothonotary of Clearfield County, Pennsylvania, to provide constructive notice of this Waiver to any and all Contractors, material men, and other persons furnishing labor or materials under the Contract.

The Contractor hereby certifies that no work has been performed and no materials have been provided pursuant to the Contract as of the date of this Mechanic's Lien Waiver.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the Contractor has caused this Waiver to be executed by the above mentioned individuals this 8th day of August, 2005, with full knowledge of the rights afforded the Contractor under the laws of the Commonwealth of Pennsylvania.

Thompson Hill Homes

BY

Kevin Wolfel

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Clearfield

: S.S.

On this, the 8th day of August, 2005, before me, the undersigned Officer, personally appeared Kevin Wolfel, 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 hereunto set my hand and official seal.

Notarial Seal
Traci L. Tosh, Notary Public
Hawthorn Boro, Clarion County
My Commission Expires Dec. 16, 2006
Member, Pennsylvania Association Of Notaries

Notary Public

My Commission Expires: 12/16/06

EXHIBIT "A"

ALL that certain parcel of ground situate in the Township of Brady, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a stone; thence North by lands now or formerly of William M. Potter and E. Ashenfelter respectively 154 perches, more or less, to a post; thence East by lands now or formerly of G.A. Weber and the E. Smiley Estate 136 perches, more or less, to a post; thence South by lands now or formerly of J.B. Woods 42 perches, more or less, to a post; thence South 81 ¼° East by lands now or formerly of Woods 62.5 perches, more or less, to a hemlock; thence South 2 ¼° East by same 19.7 perches, more or less, to a hemlock; thence South 22 ¼° East by same 53.2 perches to a birch; thence South 15° East by same 36 perches, more or less, to a post; thence West by lands now or formerly of Brooks Estate et al 228 perches, more or less, to the place of beginning. Containing 174 acres, more or less.

The premises herein conveyed are believed to be more accurately described as per field survey notes of Lee-Simpson Associates, Inc., as follows:

COMMENCING at a nail in the centerline of State Highway Route No. 4011, also known as the Oklahoma-Salem Road, said nail being the northeast corner of lands herein conveyed and the southeast corner of lands now or formerly of Donald E. Wells et al; thence in a southerly direction along the centerline of State Highway Route No. 4011 by the following courses and distances: South 18° 21' 19" East, 583.56 feet; South 6° 58' 12" East, 499.64 feet; South 3° 50' 25" East, 537.31 feet; South 00° 57' 42" East, 993.57 feet to a point on line of lands now or formerly of Melvin Gearhart et al; thence North 88° 15' 49" West, 1538.23 feet to a concrete monument on line of lands now or formerly of Ivan R. Jr. and Leona Kougher; thence North along line of lands now or formerly of Potter and lands now or formerly of Dorothy J. Menniti, 2532.74 feet, more or less, to an iron pin, being the southeast corner of other lands of former Grantors, Raymond Nelson and Margaret Nelson, and the southwest corner of lands now or formerly of Elsie E. King; thence along the line of lands now or formerly of Elsie E. King and Donald E. Wells East, 1240.46 feet to a nail set in the centerline of the right of way of State Highway Route No. 4011 and place of beginning. Containing 86.05 acres. MAP #107-C05-000-00191

BEING the same premises conveyed from Robert M. Hallstrom, single; Julie S. Mancuso, formerly Julie S. Hallstrom, and Mark Mancuso, her husband; Mary Lea Hallstrom, single; Carol A. Gritzer, single; and David R. Miller and Patricia D. Miller, his wife, to James V. Vida and Cheryl L. Vida, husband and wife, by deed dated August 15, 2003, and recorded August 18, 2003, at Clearfield County Instrument #200314738.