

05-1382-CD

Torrell & Bernardo vs M. Richards

Torrell and Bernardo vs Matthew Richards  
2005-1382-CD

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

TORRELL AND BERNARDO , :  
REMODELING AND CUSTOM HOMES, :  
Plaintiff, :  
: :  
vs. : : No. 2005-1382-CO  
: :  
MATTHEW J. RICHARDS and TONYA K. :  
RICHARDS :  
Defendants. :  
:

STIPULATION AGAINST LIENS

Filed on behalf of  
Defendant

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA  
15 North Front Street  
Clearfield, PA 16830

(814) 765-8972

FILED  
SEP 07 2005  
09:50 AM  
William A. Shaw  
Prothonotary/Clerk of Courts  
No 9C

## Stipulation Against Liens

THIS AGREEMENT made the 30<sup>th</sup> day of August, 2005,  
by and between TORRELL AND BERNARDO REMODELING AND CUSTOM HOMES, a  
Pennsylvania general partnership with an office and principal place of business at 130  
McCracken Run Road, DuBois, PA 15801

hereinafter referred to as Contractor,

AND

MATTHEW J. RICHARDS and TONYA K. RICHARDS, husband and wife, hereinafter referred to as

Owner, whereby the Contractor undertook and agreed to erect and construct a dwelling on that  
certain lot of ground situate in Pike Township, Clearfield County, Pennsylvania, more specifically  
bounded and described in Exhibit "A" attached hereto and made a part hereof.

NOW THEREFORE, THIS AGREEMENT WITNESSETH: That the said Contractor, for and  
in consideration of the sum of (\$1.00) Dollar to it in hand paid by Owner, the receipt whereof is  
hereby acknowledged, and the further consideration mentioned in the agreement aforesaid, for  
themselves and their subcontractors, and all parties acting through or under them, covenant and  
agree that no mechanic's liens or claims shall be filed or maintained by them or any of them  
against the said buildings and the lot of ground appurtenant thereto for or on account of any  
work done or materials furnished by them or any of them under said contract or otherwise, for,  
towards, in, or about the erection and construction of the said buildings on the lot above  
described, and the said Contractor, for themselves, their subcontractors and others under them  
hereby expressly waive and relinquish the right to have, file, and maintain any mechanic's liens  
or claims against the said buildings or any of them, and agree that this instrument, waiving the  
right of lien, shall be an independent covenant.

WITNESS the hands and seals of the partners this 30<sup>th</sup> day of August, 2005.

Signed, sealed and delivered in the  
Presence of:

TORRELL AND BERNARDO  
REMODELING AND CUSTOM HOMES

By: Richard J. Bernardo  
Richard J. Bernardo, Partner  
By: Ronald Torrell  
Ronald Torrell, Partner

**ACKNOWLEDGMENT FOR INDIVIDUAL**

State of Pennsylvania

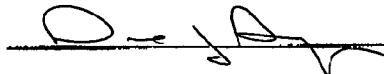
ss.

County of Clearfield

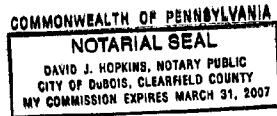
On this, the 30<sup>th</sup> day of August, 2005, before me the undersigned officer, personally appeared RICHARD J. BERNARDO AND RONALD TORRELL, partners of TORRELL AND BERNARDO REMODELING AND CUSTOM HOMES

known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



(SEAL)



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Title of Officer**ACKNOWLEDGEMENT FOR CORPORATION**

State of

ss.

County of

On this, the day of , 20 , before me, a Notary Public, personally appeared , known to me to be the person whose name is , and who acknowledges himself to be the of , corporation, and that he as such , being authorized to do so, executed the foregoing statement for the purposes therein contained by signing the name of the corporation by himself as

In witness whereof, I have hereunto set my hand and notarial seal.

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Notary Public

**Stipulation  
Against Liens**

Owner: Matthew J. Richards and Tonya K. Richards

Contractor: Torrell and Bernardo Remodeling and  
Custom Homes

**FILED**

Date \_\_\_\_\_

*Prothonotary*

EXHIBIT "A"

ALL that certain tract piece or parcel of land situate in the Township of Pike, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the North side of Township Road No. 447, also known as Lake Road. Said point is also the Southwest corner of other lands of Grantors; thence along said road the following courses and distances:

South seventy-five (75°) degrees nineteen (19') minutes zero (00") seconds West sixty-nine and four hundredths (69.04) feet to an iron pin; thence South sixty-nine degrees (69°) degrees fifty-eight (58') minutes forty (40") seconds West one hundred sixty-one and eighty-four hundredths (161.84) feet to an iron pin; thence South sixty-seven (67°) degrees fourteen (14') minutes five (05") seconds West three hundred twenty-eight and forty-six hundredths (328.46) feet to an iron pin and also the Southeast corner of Lot Addition Parcel; thence along same North forty-four (44°) degrees thirty-eight (38') minutes thirty-five (35") seconds West three hundred thirty-four and twenty-one hundredths (334.21) feet to an iron pin on line of, now or formerly, Chris and Tracey McCracken; thence along lands of same North twenty-five (25°) degrees seven (07') minutes thirty (30") seconds East one thousand forty-seven and thirty-four hundredths (1,047.34) feet to a concrete monument; thence along other lands of Grantors South twenty-two (22°) degrees eight (08') minutes five (05") seconds East seven hundred seventy-one and seven hundredths (771.07) feet to an iron pin; thence still along same South four (04°) degrees twenty-nine (29') minutes twenty (20") seconds East two hundred seventy-two and sixty-two hundredths (272.62) feet to an iron pin and place of beginning. Known as Lot No. 2 on map prepared by P.R. Mondock for Shirokey Surveys dated July 28, 2003, recorded in Clearfield County as Instrument Number 200514069.

Containing 11.0443 acres.

EXCEPTING AND RESERVING the coal, and minerals in, under and upon the said parcel.

Also subject to any right-of-ways, easements, leases or other reservations that may appear in the chain of title.

**FILED**  
**SEP 07 2005**  
William A. Shaw  
Prothonotary/Clerk of Courts