

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

D & M Contracting, Inc
(Plaintiff)

CIVIL ACTION

(Street Address)

No. 05-1494-CD

Export PA,
(City, State ZIP)

Type of Case: Civil

Type of Pleading: Waiver of Right
to File Lien

VS.

Filed on Behalf of:

Clearfield Borough
(Defendant)

Defendant Clearfield Boro
(Plaintiff/Defendant)

6 South Front Street
(Street Address)

Clearfield PA 16830
(City, State ZIP)

F. Carter Bell, III Esq
(Filed by)

PO Box 1088
(Address) Clearfield PA 16830

(814) 765-5537
(Phone)

FILED 400

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SEP 28 2005

Atty Bell
Atty pd. 2000

William A. Shaw
Prothonotary/Clerk of Courts

F. Carter Bell, III
(Signature)

WAIVER OF RIGHT TO FILE LIEN

WHEREAS, D & M Contracting, Inc., hereinafter called the CONTRACTOR, has entered into a contract with the Clearfield Borough Council, hereinafter called the OWNER, to provide materials and perform labor necessary for the Clearfield Borough Sanitary Sewer Replacement - Ward I-West Side, hereinafter called the PROJECT.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the said parties, as part of the said contract and for the consideration therein set forth, that neither the undersigned CONTRACTOR, any subcontractor or materialman, nor any other person furnishing labor or materials to said CONTRACTOR under this contract shall file a lien, commonly called a mechanic's lien, for work done or materials furnished to the said project or any part thereof.

This stipulation is made and intended to be filed with the Prothonotary of Clearfield County, Pennsylvania within ten (10) days after date, in accordance with the requirements of Act of Assembly of Pennsylvania, in such case provided.

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

D & M Contracting, Inc.
CONTRACTOR

NOTARIAL SEAL

By: Sandra K. Cramer
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Sandra K. Cramer, Notary Public
Derry Twp., Westmoreland County
My Commission Expires Aug. 21, 2007

By: Martin J. Castell
Audrey A. Nowinski
(Witness)

*****Member, Pennsylvania Association of Notaries*****

Local Public Agency

NOTARIAL SEAL

Clearfield Borough Council
OWNER

By: Alfonso J. Martinez
F. C. B. III
(WITNESS)

Filed this 25th day of August, 2005.

ATTEST:

COUNTY OF Clearfield

By: Pamela K. Peters

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Pamela K. Peters, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Aug. 9, 2008