

05-1731-CD  
David Hill vs Haubert Homes

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COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

DAVID W. HILL, JR  
(Plaintiff)  
KATHLEEN M. HILL  
BLONDY ST & HARR Ave  
(Street Address)

HUNTDALG, PA 16651  
(City, State ZIP)

vs.

HAUBERT HOMES, INC  
(Defendant)

(Street Address)

INDIANS, PA 15701  
(City, State ZIP)

CIVIL ACTION

No. 2005-1731-CD

Type of Case: WAIVER OF MECHANICS LIEN

Type of Pleading: \_\_\_\_\_

Filed on Behalf of:

DAVID W. HILL, JR / KATHLEEN M. HILL  
(Plaintiff/Defendant)

FILED *fw*

NOV 04 2005  
0/2/05/m  
William A. Shaw  
Prothonotary/Clerk of Courts

THE CLOSING SPECIALISTS  
(Filed by)

204 W. MAIN ST LIGONIER PA  
(Address) 15658

888-680-5177  
(Phone)

John R. Conway  
(Signature)  
John R. Conway

NO-LIEN AGREEMENT  
STIPULATION AGAINST AND WAIVER OF RIGHT  
TO FILE MECHANICS' LIENS

THIS No-Lien Agreement, made and entered into by and between HAUBERT HOMES, INC. (hereinafter referred to as "Contractor") and DAVID W. HILL, JR. AND KATHLEEN M. HILL (hereinafter referred to as "Owner").

WITNESSETH:

WHEREAS, the parties hereto did on 4-28-05 enter into an Agreement and whereby the said Contractor undertook and agreed to erect and construct a certain dwelling house on premises owned by the said Owner situate in CLEARFIELD COUNTY, PENNSYLVANIA, bounded and described as follows:

TAX MAP NO. 130-M14-384-016

All those certain lots or pieces of ground situate in the Town of Houtzdale, Township of Woodward, County of Clearfield and State of Pennsylvania, bounded and described as follows:

The First Thereof: Beginning at the Southwest corner of Houtz Avenue; thence along said Avenue one hundred and fifty (150) feet to Cypress Alley; thence along said Cypress Alley one hundred and fifty (150) feet to Wolf Alley; thence along said Wolf Alley one hundred and fifty (150) feet to Blandy Street; thence along said Blandy Street to Houtz Avenue one hundred and fifty (150) feet to the place of beginning. Containing Lots 2392, 2393, 2394.

The Second Thereof: Beginning at the northeast corner of Blandy Street and Wolf Alley; thence one hundred and fifty (150) feet to David Street; thence along said David Street one hundred and fifty (150) feet to Cypress Alley; thence along Cypress Alley one hundred and fifty (150) feet to Wolf Alley; thence along said Wolf Alley one hundred and fifty (150) feet to Blandy Street the place of beginning. Containing Lots 2407, 2408 and 2409.

NOW THEREFORE, the Contractor, in consideration of the sum of One (\$1.00) Dollar and of the covenants and provisions in said contract contained, does hereby covenant, stipulate and agree, and it is also covenanted, stipulated and agreed in the above recited contract, does for himself, his materialmen, sub-contractors, and all persons acting through or under him, covenant and agree that no Mechanics' Claims or Liens shall be filed or maintained by him or any of them against said building and lot of ground appurtenant thereto or on account of any work or labor done or materials furnished by him or any of them, under said contract or otherwise, for, towards, in or about the erection and construction of said building, improvements, or any of them, as is stipulated in the aforesaid contract, and the said Contractor does for himself, his sub-contractors, materialmen, and all others claiming by, through or under him expressly waive and relinquish the right to have, file and maintain any Mechanics' Claims or Liens against the said building, land or improvements thereon, and does hereby consent, stipulate and agree that this instrument shall constitute an independent covenant.

WITNESS THE DUE EXECUTION hereof, this 4th day of November, 2005.

ATTEST:

John R. Conway  
John R. Conway

DAVID W. HILL, JR.  
David W. Hill, Jr.  
OWNER

KATHLEEN M. HILL  
Kathleen M. Hill  
OWNER

ATTEST:

John R. Conway  
John R. Conway

HAUBERT HOMES, INC.  
By John R. Conway  
TITLE Manager

CONTRACTOR

I HEREBY CERTIFY THAT THE LOCATION OF THE REAL ESTATE AFFECTED BY THE WITHIN INSTRUMENT IS: SEE  
ABOVE DESCRIPTION

CLOSER

John R. Conway