

06-533-CD
Louis Robinson al vs Rodney Straw et

Louis Robinson et al vs Rodney Straw et al
2006-533-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Louis E Robinson

(Plaintiff)

Betty Robinson

(Street Address)

502 S Harrison Rd
Sterling, VA 20164

(City, State ZIP)

CIVIL ACTION

No. 2006-533-CD

Type of Case: Stipulation Against
Lien

Type of Pleading: _____

vs.

Rodney S Straw

(Defendant)

Straw Construction

(Street Address)

8339 Cherry Corner Rd

(City, State ZIP)

Curwensville PA 16833

Filed on Behalf of:

(Plaintiff/Defendant)

FILED

EW

APR 05 2006

01:35 PM

William A. Shaw
Prothonotary/Clerk of Courts

no c/c

Cynthia A Yeager

(Filed by)

701 Logan Blvd - PO Box 647

(Address)

Attison PA 16603

(Phone)

814-943-7771

(Signature)

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Rodney S Straw
(Plaintiff)

Straw Construction
(Street Address)

8339 Cherry Corner Rd
(City, State ZIP)

Cuswensville, PA 16833

VS.

Louis E Robinson
(Defendant)

Betty Robinson
(Street Address)

502 Harrison Rd

(City, State ZIP)

Sterling, PA 20164

CIVIL ACTION

No. _____

Type of Case: Suit Against Lien

Type of Pleading: _____

Filed on Behalf of:

(Plaintiff/Defendant)

Cynthia A Yeager
(Filed by)

701 Logan Blvd
PO Box 647

(Address)
Altoona, PA 16603

(Phone)
814-943-7771

(Signature)

STIPULATIONS AGAINST LIENS

Louis E. Robinson and
Betty L. Robinson

Owner

vs.

Rodney S. Straw, Owner
Straw Construction

Contractor

Court of Common Pleas,
County of Clearfield, Pennsylvania

No. 2006 GN _____

WHEREAS, Louis E. Robinson and Betty L. Robinson, husband and wife, are about to execute contemporaneously herewith, a contract with Rodney S. Straw, Straw Construction, having an office located at 8339 Cherry Corner Road, Curwensville, Pennsylvania, 16833, for the construction of a single family dwelling located on Parcel 1 and Parcel 2 of Bella View Subdivision, Beccaria, Clearfield County, Pennsylvania. (See legal description attached hereto and made a part hereof as Exhibit "A".)

NOW, this 29th day of MARCH, 2006, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said Louis E. Robinson and Betty L. Robinson, husband and wife, to the said Rodney S. Straw, Straw Construction to commence work on the said building construction, or purchase materials for the same in consideration of the making of the said contract with Louis E. Robinson and Betty L. Robinson, husband and wife, and the further consideration of Two Hundred Ninety-five Thousand Dollars, to be paid by Louis E. Robinson and Betty L. Robinson, husband and wife, it is agreed that no lien shall be filed against the building by the contractor, or any subcontractor, nor by any of the materialmen or workmen or any other person for any labor, or materials purchased, or extra labor or materials purchased for the erection of said dwelling, 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**

Owner:

Mark D. Sawett Louis E. Robinson
Witness Louis E. Robinson

Mark D. Sawett Betty L. Robinson
Witness Betty L. Robinson

Contractor:

Straw Construction

Cynthia Yeager By: Rodney S. Straw
Witness Rodney S. Straw, Owner

EXHIBIT A
(Legal Description)

ALL those certain parcels or lots of land situate in the Township of Beccaria, County of Clearfield, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

THE FIRST THEREOF:

Commencing at an iron pin (found) in the right-of way of State Route 3005 (a/k/a St. Lawrence Road), said iron pin being the western corner of the parcel herein described, said point being the point of beginning; thence along said road, N 51° 23' 30" E, a distance of 240.32 feet to a spike (set); thence S 45° 52' 00" E, leaving the right-of-way of said road at 0.18 feet, and along the residual lot of the Bella View Subdivision, a total distance of 255.00 feet to an iron pin (set); thence along Lot 2 of the said subdivision, S 51° 23' 30" W, a distance of 240.32 feet to an iron pin (set); thence continuing along Lot 2, N 45° 52' 00" W, passing through the southeastern right-of-way line of State Route 3005 at a distance of 245.35 feet, a total distance of 255.00 feet to the point of beginning.

Being known as Lot 1 of the Bella View Subdivision, containing 1.396 acres total, with a net of 1.248 acres excepting the right-of-way of State Route 3005, as shown on the plat of survey for the Bella View Subdivision.

THE SECOND THEREOF:

Commencing at an iron pin (found) at the corner of Mark A. Kutruff and the southwest corner of land of which this is a part, said point being the point of beginning; thence along the land of Mark A. Kutruff, N 45 52 00 W, a distance of 625.00 feet to an iron pin (found), said iron pin being 8.81 feet into the right-of-way of State Route 3005 (a/k/a St. Lawrence Road) along said bearing; thence along said road, N 45 06 00 E, a distance of 50.00 feet to an iron pin (found); thence S 45 52 00 E, leaving the right-of-way of said road at 9.65 feet, and along Lot 1 of the Bella View Subdivision, a total distance of 255.00 feet to an iron pin (set); thence continuing along Lot 1, N 51 23 30 E, a distance of 240.32 feet to an iron pin (set); thence along the residual lot of the said subdivision, S 45 52 00 E, a distance of 145.00 feet to an iron pin (set); thence continuing along the residual lot N 26 51 55 E, a distance of 410.66 feet to an iron pin (set); thence along Lot 3 of the said subdivision, S 45 52 00 E, a distance of 113.55 feet to an iron pin (set); thence along Lot 4 of the said subdivision, S 00 10 14 E, a distance of 547.97 feet to an iron pin (set); thence along the land of Mark A. Kutruff, S 76 26 30 W, a distance of 341.14 feet to the point of beginning.

Being known as Lot 2 of the Bella View Subdivision, containing 5.442 acres total, with a net 5.432 acres excepting the right-of-way of State Route 3005, as shown on the plat of survey for the Bella View Subdivision.

BEING Lots 1 and 2 respectfully, of the Bella View Subdivision dated August 25, 2005, revised September 29, 2005 prepared by Jeffrey S. Doughty, PLS, approved by the Beccaria Township Supervisors, without comment, at meeting on October 4, 2005,

approved by the Clearfield County Planning Commission on October 17, 2005 and recorded in the Clearfield County Recorder's Office on January 5, 2006 as Instrument No. 200600184.

UNDER AND SUBJECT to the following, restrictions, limitations and covenants, which shall attach to the above-described property and constitute covenants running with the property:

1. Only single family residential dwellings may be constructed on the premises; provided however, attached or detached non-commercial garages and sheds appurtenant to said dwelling may likewise be constructed on the property;

2. All dwelling structures constructed on the property shall be secured to and made a part of a permanent foundation constructed in the ground of the type commonly referred to as a full basement, crawl space or concrete slab;

3. Mobile homes, trailers, campers or like structures of single width or premanufactured homes, commonly known as double-wides, shall not be placed on, constructed or utilized on the property;

4. The property may be subdivided according to the laws and regulations applicable thereto at the time of the subdivision, provided however, all subdivided parts of the property shall continue thereafter to be subject to the restrictions, limitations and covenants set forth in this conveyance; and

5. The restrictions, limitations and covenants set forth in this instrument may only be modified, amended, supplemented or terminated by a writing, signed and duly acknowledged by all persons and entities then having an ownership interest on the public record in all of the property constituting the Bella View Subdivision as described and recorded on January 5, 2006 and referenced above;

6. Unless terminated earlier, per Paragraph 5 above, the restrictions limitations and covenants set forth in this instrument shall terminate without further action on December 31, 2035; provided however, the same may be extended an additional twenty-five (25) years by a writing signed and duly acknowledged by all persons and entities then having an ownership interest on the public record in all of the property constituting the Bella View Subdivision as described and recorded on January 5, 2006 and referenced above.

UNDER AND SUBJECT to all right-of-ways, utility lines, set back lines, easements and other matters set forth on the aforesaid Bella View Subdivision, including particularly, that certain right-of-way easement which Grantors individually and/or jointly granted to BCI Municipal Authority, including temporary and permanent easements for construction, maintenance repair and replacement of public waterline.