

06-802-CD
B. Rosenberger vs T&B Remodeling

2006-802-CD
Brian Rosenberger et al vs Torrell & Bernardo

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

BRIAN K. ROSENBERGER and
SHEILA R. ROSENBERGER,
Plaintiffs,

v.

TORRELL & BERNARDO REMODELING
& CUSTOM HOMES,
Defendants,

* No. 06 - 802 - CD

* Type of Pleading:

* **WAIVER OF MECHANIC'S
LIEN**

* Filed on behalf of:
* Plaintiffs

* Counsel of Record for
* this party:

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01/11/03 3:01 PM 20.00
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William A. Shaw
Prothonotary/Clerk of Courts



Investors Title Insurance Company

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687
(919) 968-2200 (800) 326-4842 Fax: (919) 968-2235

Commonwealth of Pennsylvania, County of CLEARFIELD

Local Agent:
Bankers Settlement Services
of Southwest Pennsylvania, LLC
PO Box 537
Hollidaysburg, PA 16648
Ph: 888/632-0011 Fax: 877/721-0011

STIPULATION/WAIVER OF MECHANICS' LIENS

Commitment/Policy No. _____

On this 19 day of May, 20 06, before me personally appeared Brian K. Rosenberger and Sheila R. Rosenberger, Owner of the property ("Owner"), and TORRELL & BERNARDO REMODELING & CUSTOM HOMES, General Contractor ("Contractor"), to me personally known, who, being duly sworn on their oaths, did say as follows:

WHEREAS, the undersigned Contractor entered into a contract with the Owner to provide materials and perform labor necessary for construction of the following improvements:
residential dwelling

located on the real property described as follows:

Lot 11, DALYRI, LLC Subdivision, Bloom Township, Clearfield County, PA

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 Contractor, any subcontractor or materialman, nor any other person furnishing labor or materials to the Contractor under this contract shall file a lien, commonly called a mechanics' lien, for work done or materials furnished to, or in connection with, the property described above.

This stipulation is made and intended to be filed with the County Prothonotary in accordance with the requirements of Section 1402 of the Mechanics' Lien Law of 1963 of the Commonwealth of Pennsylvania.

<u>Brian K. Rosenberger</u>		<u>Sheila R. Rosenberger</u>
Owner		Owner
<p><u>Brian K. Rosenberger</u> State of <u>Pennsylvania</u>, County of <u>Clearfield</u></p>		
<p><input checked="" type="checkbox"/> INDIVIDUAL: On this, the <u>19</u> day of <u>May</u>, 20 <u>06</u>, the undersigned officer, personally appeared <u>Brian K. Rosenberger and Sheila R. Rosenberger</u>, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledge that s/he executed the same for the purposes therein contained.</p>		
<p><input type="checkbox"/> CORPORATION: On this, the _____ day of _____, 20 _____, the undersigned officer, personally appeared _____, acknowledged himself to be the _____ of _____, a corporation, and that he as such _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation. <u>COMMONWEALTH OF PENNSYLVANIA</u></p>		
<p>In witness whereof, I hereunto set my hand and official seal.</p> <p><u>Linda C. Lewis</u></p> <p>Signature</p>		<p>Notarial Seal Linda C. Lewis, Notary Public Clearfield Boro, Clearfield County My Commission Expires July 25, 2007</p>
<p>Title</p> <p>If Notary, my commission expires: _____</p>		

<u>TORRELL & BERNARDO REMODELING & CUSTOM HOMES</u>		<u>General Contractor</u>
By: <u>Richard J. Bernardo</u>		
State of <u>Pennsylvania</u> , County of <u>Clearfield</u>		
<p><input checked="" type="checkbox"/> INDIVIDUAL: On this, the _____ day of _____, 20 _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledge that s/he executed the same for the purposes therein contained.</p>		
<p><input type="checkbox"/> CORPORATION: On this, the <u>17th</u> day of <u>May</u>, 20 <u>06</u>, the undersigned officer, personally appeared <u>Richard J. Bernardo</u>, acknowledged himself to be the <u>partner</u> of <u>Torrell & Bernardo Remodeling</u>, a corporation, and that he as such <u>partner</u>, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as <u>partner</u>.</p>		
<p>In witness whereof, I hereunto set my hand and official seal.</p> <p><u>Linda C. Lewis</u></p> <p>Signature</p>		<p>COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Linda C. Lewis, Notary Public Clearfield Boro, Clearfield County My Commission Expires May 28, 2006</p>
<p>Title</p> <p>If Notary, my commission expires: _____</p>		