

06-956-CD
R. Sees et al vs Mountain Spring Log Homes

2006-956-CD
Ralph Sees et al vs Mountain Spring Log Homes

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

RALPH H. SEES AND ANN F. SEES, his wife
wife,

Plaintiffs

vs.

MOUNTAIN SPRING LOG HOMES,

Defendants

*
* No. 06- 956-CO
*
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* TYPE OF CASE: Civil
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* TYPE OF PLEADING:
* Stipulation Against Liens
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* FILED ON BEHALF OF:
* Plaintiff
*

* COUNSEL OF RECORD FOR
* THIS PARTY:

* David R. Thompson, Esq.
* Attorney at Law
* Supreme Court I.D. 73053
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FILED

JUN 15 2006

Old 35 atty pd & 20.00
William A. Shaw
Prothonotary/Clerk of Courts

2cc atty.

Thompson

STIPULATION AGAINST LIENS

RALPH H. SEES
Homeowner
ANN F. SEES
Homeowner
vs.

In the Court of Common Pleas, County of
CLEARFIELD, Pennsylvania
Number _____ Term, 2006

MOUNTAIN SPRING LOG HOMES
Contractor

WHEREAS, **RALPH H. SEES AND ANN F. SEES**, his wife, currently of 5330 Sovereign Place, Frederick PA 21703, about to execute contemporaneously herewith, a contract, with **MOUNTAIN SPRING LOG HOMES**, of Fayetteville, Pennsylvania, for the construction of a residential structure upon premises situate in the Township of Bigler, Clearfield County, Pennsylvania, bounded and described as follows:

SEE EXHIBIT "A"

NOW, 2006, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **RALPH H. SEES AND ANN F. SEES**, his wife, to the said **MOUNTAIN SPRING LOG HOMES**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **RALPH H. SEES AND ANN F. SEES**, his wife, and further by, **MOUNTAIN SPRING LOG HOMES**, it is agreed that no lien shall be filed against the building by the contractor, or any sub-contractor, nor by any of the material men or workmen or any other person for any labor, materials purchased for the erection of said building, 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:

Amy J. Devereaux
as witness

Yvonne H. Sees

Ralph H. Sees
Homeowner- Ralph H. Sees

Ann F. Sees
Homeowner- Ann F. Sees

MOUNTAIN SPRING LOG HOMES
Donald Sees
Contractor

EXHIBIT "A"

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

TRACT #2160 - deed dated September 20, 1884, from John M. Jordan and wife to Horatio G. Fisher and others, recorded in Deed Book 33 Page 289.

BETTER DESCRIBED AS: BEGINNING at a ex fence post located on the eastern portion of T.R. 558; thence along said T.R. 558 North $18^{\circ} 56' 35''$ East a distance of 910.39 feet to a point; thence along property now or formerly of Joseph and Mary Kitko North $84^{\circ} 05' 25''$ West a distance of 596.45 feet to a point; thence continuing along property now or formerly of Joseph and Mary Kitko North $71^{\circ} 56' 25''$ West a distance of 860.43 feet to a point; thence along property now or formerly of Mid Penn Coal Company North $58^{\circ} 40' 35''$ East a distance of 930.98 feet to a point; thence continuing along property now or formerly of Mid Penn Coal Company South $31^{\circ} 44' 34''$ East a distance of 700.31 feet to an iron pin; thence continuing along property now or formerly of Mid Penn Coal Company North $58^{\circ} 00' 35''$ East a distance of 1040.01' to a point; thence along property now or formerly of Merwin Graham South $30^{\circ} 44' 25''$ East a distance of 2739.47 feet to a point; thence along property now or formerly of John P. Flango South $57^{\circ} 13' 27''$ West a distance of 71.36' to a point; thence continuing along property now or formerly of John P. Flango North $33^{\circ} 32' 24''$ West a distance of 1435.84 feet to a point; thence continuing along property now or formerly of John P. Flango South $57^{\circ} 20' 35''$ West a distance of 1039.50 feet to a point; thence along property now or formerly of Katherine Kitko Zemansky North $59^{\circ} 17' 50''$ West a distance of 485.13' to a ex fence post the place of beginning. Containing 61.7854 acres more or less.

EXCEPTING AND RESERVING, NEVERTHELESS, all of the oil and gas in, under and upon the above-described premises, including the rights of ingress, egress and regress thereto for the purpose of exploration, drilling and removal of the oil and gas therefrom.

BEING further identified as Clearfield County Tax Parcel No. 103-L14-27 as shown on the assessment map in the records of Clearfield County, PA.