

Lester Smeal et al vs PASE Excavating et al
2006-1061-CD

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

LESTER G. SMEAL
and LISA D. SMEAL,
husband and wife

Owners

No. 2006- 1001-CD

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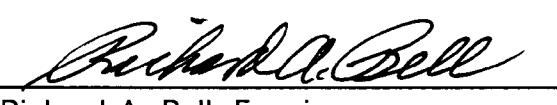
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WAIVER OF MECHANICS LIEN

PASE EXCAVATING and
BELL BUILDERS

Contractors

Filed on Behalf of Owners By:
BELL, SILBERBLATT & WOOD
By


Richard A. Bell, Esquire
Supreme Court ID 06808

FILED Atty Bell
01/02/2006 PD 20.00
JUL 05 2006
NOCC
William A. Shaw
Prothonotary/Clerk of Courts

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WAIVER OF MECHANICS LIEN

PASE EXCAVATING and
BELL BUILDERS

Contractors

WAIVER OF MECHANIC'S LIEN

WHEREAS, the undersigned being contractors or materialmen, have agreed to supply services and material to Lester G. Smeal and Lisa D. Smeal, husband and wife of 7486 Deer Creek Road, Morrisdale, Pennsylvania 16858 for excavation and installation of a french drain by Pase Excavating and soffit and facia, new basement windows, new basement entryway, new porch, two new windows in room which was the old garage, and a metal encasement of a garage by Bell Builders on premises situate in Graham Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain piece or parcel of land situate in Graham Township,

Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the northeast corner of the tract being conveyed and the southeast corner of Hollis G. Rougeux property, thence West along Hollis G. Rougeux property to Legislative Route No.17061, thence South along highway boundary to the centerline of a private lane East leading to property formerly owned by Lester G. Smeal, thence North along the Lester G. Smeal property to place of beginning. Containing 10 acres more or less and having erected thereon a house, barn and other outbuildings.

EXCEPTING AND RESERVING all the coal, fire clay and other minerals with necessary attendant mining and removal privileges, not to include stripping.

ALSO EXCEPTING AND RESERVING therefrom the oil and gas and attendant

rights thereto which are presently under lease. Upon the expiration or surrender of the said lease, the gas and oil and attendant rights thereto shall vest in Grantees, their heirs and assigns.

NOW, THEREFORE, BY THESE PRESENTS WITNESSETH: That in consideration of the grant of agreements for services and materials to excavate and install a french drain by Pase Excavation and soffit and facia, new basement windows, new basement entryway, new porch, two new windows in room which was the old garage, and a metal encasement of a garage by Bell Builders to the undersigneds, and for the performance of said work and supplying of said materials and the sum of \$1.00 in hand paid at or before the signing and delivery hereof, the undersigned, covenant and agree that no Mechanic's Lien or Materialmen's Lien or claims shall be maintained or filed by the undersigned, or by any contractor, sub-contractor, person, firm or corporation, or any of them against the above described premises or lot or other appurtenances thereto, for or on account of any work done or materials furnished by them in the construction of said dwelling under their Contract to furnish the labor and materials in and about the aforesaid work; and for the undersigned, themselves, their heirs and assigns, and all others acting through or under them, hereby expressly waive and relinquish the right to have filed and maintained any Mechanic's Lien or Materialmen's Lien or claim against said building on the above described premises or any part thereof, and the undersigned further agree that this agreement waiving the right to file a lien is an individual covenant and shall operate and be effective with respect to materials furnished and labor performed under the said agreements for the construction of said dwelling or any extra additions to be made to said agreements in and about said building or premises.

ATTEST

Conc Pase

PASE CONTRACTING

By:

Galin Pase

Galin Pase Signature-Contractor

(Print your name)

Galin Pase

ATTEST

Conc Pase

BELL BUILDERS

By:

Douglas Bell

Signature-Contractor

(Print your name)

Douglas Bell