

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

BRICE E. FERGUSON and
DAYNA A. FERGUSON,

Owner(s)

AND

JACK FROST CONSTRUCTION,

Contractor

COUNTY OF CLEARFIELD

STATE OF PENNSYLVANIA

NO. 06-1128-CD TERM, 2006

MECHANIC'S LIEN WAIVER

THIS AGREEMENT, Made and entered into this the 12th day of July, 2006, by and between the Owner(s) of 162 Palestine Road, Morrisdale, Pennsylvania 16858

And the Contractor(s) of 1307 Hale Street, Philipsburg, Pennsylvania 16866.

WHEREAS, the Owner(s) have entered into a written contract with the Contractor(s) for the construction of Newbury II, 3 bedroom, 3 baths, 1900 square feet bi-level house, in accordance with certain plans and specifications, and for the furnishing and providing of materials and labor necessary therefore upon a plot of ground being all that certain piece or parcel of land

SEE ATTACHED LEGAL DESCRIPTION

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, before any of the above construction is commenced, that Contractor, for himself, herself, itself, themselves, his, her, its and their subcontractors, and all parties acting through or under him, it or them, covenants and agrees that no mechanic's claims or liens shall be filed or maintained by him, them, or any of them against the buildings and the lots of ground appurtenant thereto, or any of them, for or on account of any work done or materials furnished by him, them or any of them, under this contract or otherwise, for towards, in or about the erection and construction of the said buildings, or any of them, and Contractor, for himself, herself, itself, themselves, his, her, its and their subcontractors, and others under him, her, it or them, hereby expressly waives and relinquishes the right to have, file, or maintain any mechanics' lien or claim against the buildings or any of them, and that this agreement waiving the right of lien shall be an independent covenant and shall operate and be effective as well with respect to work and labor done and materials furnished under any supplemental contract, verbal or written, or contract for extra work in the erection and construction of the said building as to work and labor done and materials furnished under this contract.

This Stipulation is made and intended to be filed with the CLEARFIELD County Prothonotary in accordance with the requirements of the Act of Assembly of this State in such cases made and provided.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals the day and year first above written.

Bruce E Ferguson L.S.
BRUCE E. FERGUSON

Dayna A. Ferguson L.S.
DAYNA A. FERGUSON Owner(s)

JACK FROST CONSTRUCTION:

By: Billy Joe Sallurday L.S.
BILLY JOE SALLURDAY, OWNER, Contractor

FILED No cc
012:35/01 Amy Ayres
JUL 14 2006 pd. 20.00

William A. Shaw
Prothonotary/Clerk of Courts

**ATTACHMENT TO MECHANIC'S LIEN WAIVER
BRICE E. FERGUSON & DAYNA A. FERGUSON**

ALL that piece or parcel situated in Graham Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the east side of Township Road No. 696, also known as Palestine Road, said point being the northwest corner of the Palestine Cemetery Association; thence along said road North 25 degrees 04 minutes 35 seconds east 190.00 feet to an iron pin; thence along other lands of Joseph Bosak, Jr., South 83 degrees 00 minutes 25 seconds East 225.32 feet to an iron pin; thence still along other lands of Joseph Bosak, Jr., South 10 degrees 01 seconds 45 minutes West 197.16 feet to an iron pin; thence still along lands of Joseph Bosak, Jr., and lands of Palestine Cemetery Association North 79 degrees 36 minutes 00 seconds West 274.34 feet to an iron pin and place of **BEGINNING**.

BEING known as Lot No. 1 on Subdivision Map for Joseph Bosak, Jr., prepared by Shirokey Surveys, dated June 8, 2006, and recorded in the Office of the Recorder of Clearfield County, on July 11, 2006, to Instrument Number 200611407.

CONTAINING 1.0879 acres.

BEING a part of the same premises conveyed by Seeds, Inc., successor by merger to Crownvetch, Inc., to Joseph Bosak, Jr., an adult individual, by deed dated September 22, 1992, and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deeds and Records Book Volume 1489, Page 99.