

06-1387-CD

Owl Homes of Allegany vs D. Bloom et al

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Owl Homes vs Deborah Bloom et al

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

AUG 25 2006

M 11:50 AM

William A. Shaw
Prothonotary/Clerk of Courts

No C/C

CIVIL ACTION

2006-1387-CD

Owl Homes of Allegany
(Plaintiff)

P.O. Box 189, Rte 417
(Street Address)

Allegany, NY 14706
(City, State ZIP)

No. NO LIEN AGREEMENT

Type of Case: _____

Type of Pleading: _____

Filed on Behalf of:

Owl Homes of Allegany
(Plaintiff/Defendant)

vs.

Deborah S. & John L. Bloom
(Defendant)

1087 60th STREET Ext.
(Street Address)

Grampian, PA 16838
(City, State ZIP)

Stratford Settlements, Inc.
(Filed by)

506 South Main Street Ste 2203
(Address) Zelienople, PA 16063

724-453-3181
(Phone)

William A. Shaw
(Signature)

NO LIEN AGREEMENT

THIS AGREEMENT, made and entered into the 22nd day of Aug. 2006, by and between _____
Patricia A. Iorfida of OWL HOMES OF ALLEGANY, Hereinafter designated as
contractor, and DEBORAH S. BLOOM AND JOHN L. BLOOM, hereinafter designated as owners.

WITNESSETH: That by a certain contract, of even date herewith, the contractor, in consideration of the covenants to be performed and payments to be made by or on account of the owner, did covenant and agree to furnish all labor and materials and perform all work necessary to complete in the most substantial manner and to the satisfaction and acceptance of the owner,

NOW THEREFORE, the contractor, in consideration of the sum of one (\$1.00) dollar and of the covenants and provisions in said contract contained, does hereby covenant, stipulate and agree, and it is also covenanted, stipulated and agreed in the above-recited contract, as follows:

Contractor shall erect a single family residential dwelling on property situate in the, Township of PENN, County of CLEARFIELD and COMMONWEALTH of PENNSYLVANIA, and being known as:
1087 6TH STREET EXT., GRAMPIAN, PA 16838.

SEE ATTACHED LEGAL DESCRIPTION MADE PART OF HERETOFORE.

That there shall be no lien or right to file a lien against the structures or improvements contracted for in the above recited contract, or any part thereof, or the site thereof, for work or labor done or materials furnished in the performance of the work embraced in said recited contract, or any part or parts thereof, or extra work thereunder or changes made therein; and that no such lien or claim shall be filed, or in any way attempted to be enforced by, or on behalf of, the contractor, or by or on behalf of, any sub-contractors, material men or other persons concerned in or about the performance of the work embraced in said contract; nor shall there by any claim for work or materials against the owner, his heirs, executors, administrators or assigns, other than the legal claim of the contractor as provided in said contract.

It is the full intent of the contractor, for himself and for any sub-contractors or material men claiming for themselves, or by, through or under the contract, that the right to file a mechanics' lien, under the provision of acts of assembly in such cases made and provided, for work done or materials furnished in and about the erection, construction or repairs of the building and improvements above described, is hereby waived.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals, the day and year first written.

WITNESSES:

GERERAL CONTRACTOR:

OWL HOMES OF ALLEGANY

Michelle P. Deane

Patricia J.ida

Michelle P. Deane

Deborah S. Bloom

DEBORAH S. BLOOM

Michelle P. Deane

John L. Bloom

JOHN L. BLOOM

I HEREBY CERTIFY THAT THE PRECISE PROPERTY ADDRESS IS: 1087 6TH STREET EXT., GRAMPIAN, PA 16838.

John L. Bloom

Part of Parcel # 125-F10-32

ALL that certain piece or parcel of land situated in the Township of Penn, County of Clearfield, Commonwealth of Pennsylvania bounded and described as follows:

BEGINNING at a 3/4" rebar to be set on the western line lands of Shane I. and Nicole L. Bloom as described in Instrument Number 200505812, said rebar being North 00 degrees 44 minutes 33 seconds West a distance of 338.69 feet from the Southwest corner of Shane I. and Nicole L. Bloom, and also being on the Northern line of lands of Clement and Betty Ann Keiser, said place of beginning being the Southeast corner of the parcel herein conveyed and running;

1. Thence through lands of the Grantor for a new subdivision line South 89 degrees 56 minutes 11 seconds West a distance of 824.92 feet to a 3/4" rebar to be set;
2. Thence still through lands of the Grantor for a new subdivision line North 00 degrees 45 minutes 04 seconds West a distance of 530.00 feet to a 3/4" rebar to be set;
3. Thence still through lands of the Grantor for a new subdivision line North 89 degrees 56 minutes 11 seconds East a distance of 825.00 feet to a 3/4" rebar to be set, said rebar being on the Western line of the aforementioned Shane I. and Nicole L. Bloom;
4. Thence along the Western line of lands of Shane I. and Nicole L. Bloom South 00 degrees 44 minutes 33 seconds East a distance of 530.00 feet to a 3/4" rebar to be set and piece of beginning.

Containing 10.037 acres and being known as Parcel 1 of the Bloom Subdivision Map prepared by Curry & Associates dated July 17, 2006. Bearing based on the Northern line of lands of Shane I. and Nicole L. Bloom as described in Instrument Number 200505812. Being a portion of lands conveyed to the Grantors herein as described in Deed Book 1963 page 440.

Also Granting and Conveying a 30 foot wide access road, 15 feet on both sides of the described center line for the right of egress, ingress, regress over, through and upon said right of way to gain access to the parcel here above described. The center line said access road being described as follows:

Beginning at a point at the Northwest corner of lands of Albert R. and William Walburn as described in Deed Book 547 page 116, said point being on the Southern line of other lands of the Grantors as described in Instrument Number 200201737, said point of beginning being in the center line of an existing cartway and being the Northeastern most point of said access road and running;

1. Thence along the centerline of the existing cartway the following courses and distances:

South 76 degrees 13 minutes 10 seconds West
a distance of 14.97 feet to a point;

South 53 degrees 00 minutes 16 seconds West
a distance of 53.17 feet to a point;

South 30 degrees 43 minutes 51 seconds West
a distance of 37.58 feet to a point;

South 15 degrees 58 minutes 46 seconds West
a distance of 44.67 feet to a point;

South 06 degrees 09 minutes 25 seconds West
a distance of 42.41 feet to a point;

South 04 degrees 01 minutes 00 seconds East
a distance of 39.32 feet to a point;

South 13 degrees 44 minutes 16 seconds East
a distance of 82.02 feet to a point;

South 05 degrees 07 minutes 57 seconds East
a distance of 38.05 feet to a point;

South 04 degrees 36 minutes 34 seconds West
a distance of 48.95 feet to a point;

South 19 degrees 36 minutes 50 seconds West
a distance of 42.14 feet to a point;

South 33 degrees 14 minutes 49 seconds West
a distance of 51.04 feet to a point;

South 39 degrees 08 minutes 25 seconds West
a distance of 83.80 feet to a point;

South 31 degrees 41 minutes 02 seconds West
a distance of 73.17 feet to a point;

South 24 degrees 30 minutes 20 seconds West
a distance of 35.69 feet to a point;

South 16 degrees 16 minutes 03 seconds West
a distance of 52.29 feet to a point;

South 09 degrees 19 minutes 10 seconds West
a distance of 43.09 feet to a point;

South 03 degrees 51 minutes 27 seconds West
a distance of 71.26 feet to a point;

South 12 degrees 23 minutes 53 seconds West
a distance of 62.24 feet to a point;

South 29 degrees 39 minutes 11 seconds West
a distance of 68.30 feet to a point;

South 30 degrees 34 minutes 43 seconds West
a distance of 76.63 feet to a point;

South 26 degrees 43 minutes 04 seconds West
a distance of 118.02 feet to a point;

South 22 degrees 35 minutes 32 seconds West
a distance of 118.06 feet to a point;

South 27 degrees 24 minutes 57 seconds West
a distance of 111.45 feet to a point;

South 36 degrees 59 minutes 39 seconds West
a distance of 42.84 feet to a point;

South 67 degrees 33 minutes 57 seconds West
a distance of 91.61 feet to a point;

South 71 degrees 00 minutes 17 seconds West
a distance of 48.58 feet to a point;

South 79 degrees 05 minutes 11 seconds West
a distance of 49.02 feet to a point;

South 87 degrees 32 minutes 07 seconds West
a distance of 103.79 feet to a point;

South 81 degrees 25 minutes 25 seconds West
a distance of 50.00 feet to a point;

South 73 degrees 26 minutes 23 seconds West
a distance of 51.72 feet to a point;

South 65 degrees 53 minutes 50 seconds West
a distance of 48.09 feet to a point;

South 59 degrees 52 minutes 30 seconds West
a distance of 114.89 feet to a point;

South 59 degrees 06 minutes 29 seconds West
a distance of 105.62 feet to a point;

South 74 degrees 13 minutes 09 seconds West
a distance of 55.84 feet to a point;

South 82 degrees 35 minutes 58 seconds West
a distance of 85.65 feet to a point;

South 87 degrees 27 minutes 36 seconds West
a distance of 103.31 feet to a point;

South 84 degrees 20 minutes 27 seconds West
a distance of 48.91 feet to a point;

North 63 degrees 24 minutes 20 seconds West
a distance of 98.06 feet to a point;

North 56 degrees 40 minutes 52 seconds West
a distance of 75.89 feet to a point being on the western line of
lands here above described and end of said right of way.

Also Granting and Conveying an access road for the right of egress,
ingress, regress over, through and upon said right of way to gain
access to the parcel here above described. The said access road being
described as follows:

Beginning at a point on the northern line of lands of Albert R. and
William Walburn as described in Deed Book 547 page 116, said point
being on the Western right of way line of Township Road T-476, said
place of beginning being the Southeast corner of the said right of
way and running;

1. Thence along the Northern line of lands of Albert R. and William
Walburn North 89 degrees 49 minutes 51 seconds West a distance of
636.98 feet to a point, said point being the Northeast corner of
lands of Albert R. and William Walburn, and also being the beginning
point of the right of way described above;

2. Thence along the Northern line of other lands of the Grantor as
described in Deed Book 1963 page 440 North 89 degrees 49 minutes 51
seconds West a distance of 53.02 feet to a point;

3. Thence along the line of lands of Harry Mahlon North 00 degrees
10 minutes 09 seconds East 30.00 feet to a point;

4. Thence still along the line of lands of Harry Mahlon South 89
degrees 49 minutes 51 seconds East a distance of 695.00 feet to a
point, said point being on the Western right of way line of Township
Road T-476;

5. Thence along the Western right of way line of Township Road T-476
South 10 degrees 32 minutes 57 seconds West a distance of 30.50 feet
to a point and place of beginning.