

06-1740-CD
Brian McGonigal et al vs Fine Line Homes

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COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Brian N. McGonigal and Paula S. McGonigal,
Plaintiff
41 Cochise Trail
McElhattan, PA 17748

CIVIL ACTION

No. 2006-1740-CJ

VS.

Fine Line Homes, L.P.,
Defendant
24 State Rt. 93
Hazelton, PA 18202

Type of Case: _____

Type of Pleading:
Stipulation Against Liens

Filed on Behalf of:
Brian N. McGonigal and
Paula S. McGonigal



Robert H. Bascom, Jr., Esquire
Tussey Settlement, Inc.
432 Rolling Ridge Drive, Suite 3A
State College, PA 16801
(814) 235-7500 phone
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FILED

OCT 24 2006

M 12:05 PM

William A. Shaw
Prothonotary/Clerk of Courts

1 CEN to ATT

STIPULATIONS AGAINST LIENS

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

OWNER: BRIAN N. MCGONIGAL and PAULA S. MCGONIGAL

VERSUS

CONTRACTOR: FINE LINE HOMES, L.P.

NO. TERM OCTOBER 20, 2006

WHEREAS, BRIAN N. MCGONIGAL and PAULA S. MCGONIGAL, HUSBAND AND WIFE of 41 COCHISE TRAIL, MCELHATTEN, PENNSYLVANIA 17748, is about to execute contemporaneously herewith a contract with FINE LINE HOMES, L.P. of , for the erection of a Two story building upon a lot of land situate

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

NOW, OCTOBER 20, 2006, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said OWNER to the said CONTRACTOR to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with OWNER and the further consideration of one Dollar, to CONTRACTOR paid by OWNER it is agree that no lien shall be filed against the building by the contractor, or any subcontractor, nor by any of the material men or workmen or any other person for any labor, or materials purchased, or extra labor or 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, Sealed and Delivered
in the presence of

Adam E. Conant

By: FINE LINE HOMES, L.P. [Seal]

Printed Name: Thadd R Wendt
Title: Vice President

Thadd R Wendt

*Suggested Deed Description for
Parcel 24 of the Larson Subdivision*

All that certain piece or parcel of land situated in the village of KylesTown, Township of Cooper, County of Clearfield, Commonwealth of Pennsylvania bounded and described as follows:

Beginning at a $\frac{3}{4}$ " rebar (set) on the southern right of way line of Rydberg Drive, said rebar being the northeast corner of Lot Number 25 of the Larson Subdivision, said rebar being the northwest corner of the parcel herein conveyed and running;

1. thence along the southern right of way line of Rydberg Drive south 87 degrees 01 minutes 19 seconds east a distance of 155.00 feet to a $\frac{3}{4}$ " rebar (set), said rebar being the northwest corner of Lot Number 23 of the Larson Subdivision, and being on the southern right of way line of Rydberg Drive;

2. thence along the western line of lands of Lot Number 23 south 02 degrees 58 minutes 41 seconds west a distance of 155.00 feet to a $\frac{3}{4}$ " rebar (set), said rebar being the common corner of Lots Number 23, 31, and Lot Number 30;

3. thence along the northern line of Lot Number 30 of the Larson Subdivision north 87 degrees 01 minutes 19 seconds west a distance of 155.00 feet to a $\frac{3}{4}$ " rebar (set), said rebar being the common corner of Lots Number 30, 29 and Lot Number 25;

4. thence along the eastern line of Lot Number 25 north 02 degrees 58 minutes 41 seconds east a distance of 155.00 feet to a $\frac{3}{4}$ " rebar (set) and place of beginning.

Containing 24,025.00 sq. ft., 0.552 acres and known as Lot 24 of the Larson Subdivision dated May 3, 2005, and shown on map prepared by Curry & Associates. Being a portion of lands of conveyed to the grantee recorded in deed book 1402 page 347.

Together with and subject to covenants, easements and restrictions of record.

Granting and conveying rights of way to connect to the existing utilities located near the southern line of this parcel here above described. Also granting and conveying a right of way to connect to the existing 4" water line, the located of said water line being on the northern line of Parcel 30 of the Larson Subdivision. Also Granting and Conveying and right of way to connect to the existing sewer line as located near the southeast corner of Lot Number 25 of the Larson Subdivision.