

IN THE COURT OF COMMON PLEAS OF CLEARFIELD CO., PENNA.
CIVIL DIVISION

WILLIAM R. FOX & KIMBERLY
W. FOX,
Owners,

vs.

BOYER REFRIGERATION
Contractor

No.: 2006-1994-CD

Type of Case: Civil

Type of Filing: Stipulation/Waiver
of Mechanics' Lien

Filed on behalf of: Owners

Counsel of Record for This Party:

John R. Carfley
PA ID No. 17621
222 E. Presqueisle Street
P. O. Box 249
Philipsburg, PA 16866
814-342-5581



FILED *for \$20.00 Atty*
9/2/2006 10:25 AM ICC Atty
NOV 30 2006 *Carfley*

William A. Shaw
Prothonotary/Clerk of Courts



Investors Title Insurance Company

P.O. Drawer 2687
 Chapel Hill, North Carolina 27515-2687
 (919) 968-2200 (800) 326-4842 Fax: (919) 968-2235

Local Agent:

BANKERS SETTLEMENT SERVICES
 OF SOUTHWEST PENNSYLVANIA, LLC
 PO BOX 537
 HOLLIDAYSBURG, PA 16848
 PH: 814.696.9800 FAX: 814.696.9802

Commonwealth of Pennsylvania, County of Clearfield

STIPULATION/WAIVER OF MECHANICS' LIENS

Commitment/Policy No. 200601324SP

On this 26th day of November, 20 06, before me personally appeared William R. Fox and Kimberly W. Fox, Owner of the property ("Owner"), and Boyer Refrigeration, General Contractor ("Contractor"), to me personally known, who, being duly sworn on their oaths, did say as follows:

WHEREAS, the undersigned Contractor entered into a contract with the Owner to provide materials and perform labor necessary for construction of the following improvements:
heat pump and duct work; flue liner

located on the real property described as follows:
See attached sheet

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, that neither the Contractor, any subcontractor or materialman, nor any other person furnishing labor or materials to the Contractor under this contract shall file a lien, commonly called a mechanics' lien, for work done or materials furnished to, or in connection with, the property described above.

This stipulation is made and intended to be filed with the County Prothonotary in accordance with the requirements of Section 1402 of the Mechanics' Lien Law of 1963 of the Commonwealth of Pennsylvania.

<u>Kimberly Fox</u>		Owner <u>William R. Fox</u>	Owner
Owner State of <u>PENNSYLVANIA</u> , County of <u>Clearfield</u>			
<input type="checkbox"/> INDIVIDUAL: On this, the <u>26th</u> day of <u>November</u> , 20 <u>06</u> , the undersigned officer, personally appeared <u>William R. Fox and Kimberly W. Fox</u> , known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledge that s/he executed the same for the purposes therein contained.			
<input type="checkbox"/> CORPORATION: On this, the _____ day of _____, 20 _____, the undersigned officer, personally appeared _____, acknowledged himself to be the _____ of _____, a corporation, and that he as such _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as _____.			
In witness whereof, I hereunto set my hand and official seal.		COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Lori Murawski, Notary Public Houtzdale Borough, Clearfield County My Commission Expires December 1, 2007	
<u>Lori Murawski</u> Signature		<u>Notary Public</u> Title	
If Notary, my commission expires: <u>12/11/07</u>			

<u>Angelica Wagner</u>		General Contractor	
By: <u>Angelica Wagner</u>			
State of <u>PENNSYLVANIA</u> , County of <u>Clearfield</u>			
<input type="checkbox"/> INDIVIDUAL: On this, the _____ day of _____, 20 _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledge that s/he executed the same for the purposes therein contained.			
<input type="checkbox"/> CORPORATION: On this, the <u>26th</u> day of <u>November</u> , 20 <u>06</u> , the undersigned officer, personally appeared <u>Angelica Wagner</u> , acknowledged himself to be the <u>Controller</u> of <u>Boyer Refrigeration</u> , a corporation, and that he as such <u>employed</u> , being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as <u>Angelica Wagner</u> .			
In witness whereof, I hereunto set my hand and official seal.		COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Lori Murawski, Notary Public Houtzdale Borough, Clearfield County My Commission Expires December 1, 2007	
<u>Lori Murawski</u> Signature		<u>Angelica Wagner</u> Notary Public / Controller Title	
If Notary, my commission expires: <u>12/11/07</u>			

ATTACHED SHEET

ALL that certain lot or piece of land situate in Gulich Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a stone corner of side of road; thence along lane North thirty-five (35°) degrees fifteen (15) minutes West two hundred nine (209') feet to a post; thence by lands of Hermann Srock North fifty-four (54°) degrees thirty-five (35) minutes East two hundred nine (209') feet to a post; thence by lands of William Srock South thirty-five (35°) degrees fifteen (15) minutes East two hundred nine (209') feet to a post in road; thence along road South fifty-four (54°) degrees thirty-five (35) minutes West two hundred nine (209') feet to a stone, the place of beginning. Containing one acre, more or less.

BEING the same premises that vested in the Grantors herein by Indenture of The Clearfield Trust Company dated May 10, 1966 and recorded in Deed Book 521, page 483 and by deed of Lorraine S. Williams dated September 11, 1983 and recorded in Clearfield County Deed Book 910, page 398.