

07-388-CD

B. Timko al vs Greenland Const.

Benjamin Timko et al vs Greenland Const.  
2007-388-CD

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

BENJAMIN J. TIMKO and  
EDWARD C. MASTRINE,  
Owners,

v.

GREENLAND CONSTRUCTION, INC.  
Contractor.

No. 07 - 388- CD

Type of Pleading:

WAIVER OF MECHANICS LIEN

Filed on behalf of:  
Owner

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820

207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

FILED  
MAR 13 2007  
0/12:25/11  
William A. Shaw  
Prothonotary/Clerk of Courts

NO C/C



# Investors Title Insurance Company

Local Agent:

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

Bankers Settlement Services  
of Southwest Pennsylvania, LLC  
PO Box 381  
Hollidaysburg, PA 16648  
Ph: 888/632-0011 Fax: 877/721-0011

Commonwealth of Pennsylvania, County of CLEARFIELD

## STIPULATION/WAIVER OF MECHANICS' LIENS

Commitment / Policy No. 200700180SP

On this 13<sup>th</sup> day of March, 2007, before me personally appeared Benjamin J. Timko and Edward C. Mastrine, Owner of the property ("Owner"), and Greenland Construction, Inc., 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:  
sewer and water infrastructure

located on the real property described as follows:

77.58 acres, Martin Street Extension, Lawrence Township, Clearfield  
County, PA, recorded as Instrument No. 200300349 in Office of Register &  
Recorder, Clearfield County, PA

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.

<p><u>Benjamin J. Timko</u> State of <u>Pennsylvania</u>, County of <u>Clearfield</u></p> <p><input checked="" type="checkbox"/> <b>INDIVIDUAL:</b> On this, the <u>13<sup>th</sup></u> day of <u>March</u>, 20<u>07</u>, the undersigned officer, personally appeared <u>Benjamin J. Timko and Edward C. Mastrine</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.</p> <p><input type="checkbox"/> <b>CORPORATION:</b> On this, the _____ day of _____, 20____, the undersigned officer, personally appeared _____ of _____, acknowledged himself to be the _____, 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 _____.</p> <p>In witness whereof, I hereunto set my hand and official seal.</p> <p><u>Linda C. Lewis</u> Signature</p> <p>If Notary, my commission expires: _____</p>	<p><u>Edward C. Mastrine</u> State of <u>Pennsylvania</u>, County of <u>Clearfield</u></p> <p><input checked="" type="checkbox"/> <b>INDIVIDUAL:</b> On this, the <u>13<sup>th</sup></u> day of <u>March</u>, 20<u>07</u>, the undersigned officer, personally appeared <u>Benjamin J. Timko and Edward C. Mastrine</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.</p> <p><input type="checkbox"/> <b>CORPORATION:</b> On this, the _____ day of _____, 20____, the undersigned officer, personally appeared _____ of _____, acknowledged himself to be the _____, 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 _____.</p> <p>In witness whereof, I hereunto set my hand and official seal.</p> <p><u>Linda C. Lewis</u> Signature</p> <p>If Notary, my commission expires: _____</p>
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COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Linda C. Lewis, Notary Public  
State of Penn. Clearfield County  
My Commission Expires July 25, 2007

<p><b>GREENLAND CONSTRUCTION INC. General Contractor</b></p> <p>BY: <u>Robert F. Greenland</u></p> <p>State of <u>Pennsylvania</u>, County of <u>Clearfield</u></p> <p><input type="checkbox"/> <b>INDIVIDUAL:</b> On this, the <u>12<sup>th</sup></u> day of <u>March</u>, 20<u>07</u>, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledge that he/she/they executed the same for the purposes therein contained.</p> <p><input checked="" type="checkbox"/> <b>CORPORATION:</b> On this, the <u>12<sup>th</sup></u> day of <u>March</u>, 20<u>07</u>, the undersigned officer, personally appeared <u>Robert F. Greenland</u>, acknowledged himself to be the <u>President</u> of <u>Greenland Construction, Inc.</u>, a corporation, and that he as such <u>officer</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>Robert F. Greenland</u>.</p> <p>In witness whereof, I hereunto set my hand and official seal.</p> <p><u>Susan A. Thoman</u> Signature</p> <p>If Notary, my commission expires: <u>October 11, 2008</u></p>	<p><u>Notary Public</u> Title</p> <p><b>NOTARIAL SEAL</b> <b>SUSAN A. THOMAN</b> Notary Public <b>BOGGS TWP. CLEARFIELD COUNTY</b> My Commission Expires Oct 11, 2008</p>
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