

07-403-CD

Don Felgar vs Robert Wright

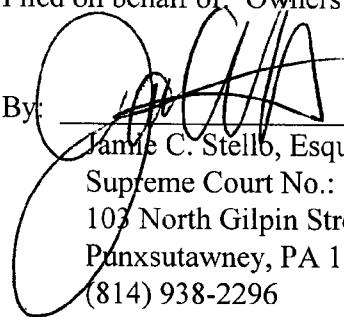
Don Felgar et al vs Robert Wright et al
2007-403-CD

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

DON FELGAR, individually, and, :
d/b/a **DON FELGAR CONSTRUCTION** :
Contractor : NO. 07-403 CD

AND :

ROBERT M. WRIGHT and : STIPULATION AGAINST LIENS
GINA L. WRIGHT, :
Owners :
: :
: :
: Filed on behalf of: Owners

By: 
Jamie C. Stellb, Esquire
Supreme Court No.: 38911
103 North Gilpin Street
Punxsutawney, PA 15767
(814) 938-2296

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Owners pd.
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William A. Shaw
Prothonotary/Clerk of Courts

STIPULATION AGAINST LIENS

THIS AGREEMENT made this 9 day of March, 2007, by and between **DON FELGAR**, individually, and d/b/a **DON FELGAR CONSTRUCTION**, a sole proprietorship, of 260 Filtering Plant Road, Punxsutawney, Pennsylvania 15767, hereinafter referred to as "**CONTRACTOR**",

AND

ROBERT M. WRIGHT and **GINA L. WRIGHT**, husband and wife, of P.O. Box 253, Mahaffey, Pennsylvania 15757, hereinafter referred to "**OWNERS**",

WHEREBY "**CONTRACTOR**" undertook and agreed to build and erect a personal residence, with all appurtenances thereto, on that certain real estate situate at 11772 Burnside-McGees Mills Highway, Mahaffey, Bell Township, Clearfield County, Pennsylvania, more particularly described in a Deed dated March 29, 1988, from Stanley M. Wright and Margaret H. Wright, his wife, Grantors, to Robert M. Wright and Gina L. Wright, his wife, of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 1217, at page 338, and by Deed dated August 24, 1998, from Margaret H. Wright, widow, to Robert M. Wright and Gina L. Wright, husband and wife, of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, and identified as Instrument No. 199902016, with the premises more particularly identified as Map No. 102-B12-30, and more particularly described in Exhibit "A," attached hereto to form a part hereof, for more particular reference thereto.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That the said "**CONTRACTOR**" for and in consideration of the sum of One (\$1.00) Dollar to "**CONTRACTOR**" in hand paid by "**OWNERS**", the receipt whereof is hereby acknowledged, and the further consideration mentioned in the agreement aforesaid, for himself and his subcontractors, and all parties acting through or under him, covenant and agree that no mechanic's liens or claims shall be filed or maintained by "**CONTRACTOR**," or any of them against said buildings and the lot of ground appurtenant thereto for or on account of any work done or materials furnished by him or any of them under said contract or otherwise, for, towards, in, or about the construction pertaining to any and all buildings located on the lot above described, and said "**CONTRACTOR**," for himself, his subcontractors and others under them,

hereby expressly waive and relinquish the right to have, file, and maintain and mechanic's liens or claims against the said buildings or any of them, and agree that this instrument, waiving the right of lien, shall be an independent covenant.

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

Signed, Sealed and Delivered
in the Presence of

Mary A Bell

Mary A Bell

Mary A Bell
Mary A Bell

CONTRACTOR:

Don Felgar
Don Felgar, individually

Don Felgar Construction

By: Don Felgar
Don Felgar, Sole Proprietor

OWNERS:

Robert M. Wright
Robert M. Wright
Gina L. Wright
Gina L. Wright

COMMONWEALTH OF PENNSYLVANIA

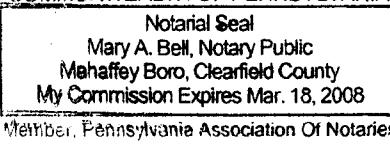
COUNTY OF CLEARFIELD

ss:

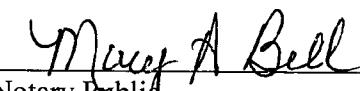
On this, the 9 day of March, 2007, before me, the undersigned officer, personally appeared **DON FELGAR**, individually, and d/b/a **DON FELGAR CONSTRUCTION**, known to me (or satisfactorily proven) to be the persons whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and being authorized to do so.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

COMMONWEALTH OF PENNSYLVANIA



Member, Pennsylvania Association Of Notaries



Notary Public

COMMONWEALTH OF PENNSYLVANIA

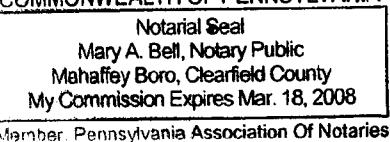
COUNTY OF CLEARFIELD

ss:

On this, the 9 day of March, 2007, before me, the undersigned officer, personally appeared **ROBERT M. WRIGHT** and **GINA L. WRIGHT**, husband and wife, known to me (or satisfactorily proven) to be the persons whose name are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained, and being authorized to do so.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

COMMONWEALTH OF PENNSYLVANIA



Member, Pennsylvania Association Of Notaries



Notary Public

**EXHIBIT "A" TO STIPULATION AGAINST LIENS BETWEEN DON FELGAR,
INDIVIDUALLY, AND D/B/A DON FELGAR CONSTRUCTION, CONTRACTOR
AND ROBERT M. WRIGHT AND GINA L. WRIGHT, OWNERS**

ALL that certain piece, parcel or tract of land situate, lying and being in **BELL TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA**, bounded and described as follows, to-wit:

BEGINNING at an iron pin in the line of State Highway Route No. 219 leading from McGees Mills to Glen Campbell at the Northeastern corner of lot now or formerly of Cecil Work; thence by lot now or formerly of Cecil Work, South 56 degrees 45 minutes West two hundred two (202) feet to an iron pin; thence by land now or formerly of C.C. McGee, North 40 degrees West fifty (50) feet to an iron pin; thence still by land now or formerly of C.C. McGee North 42 degrees 30 minutes East two hundred ninety-seven and two-tenths (297.2) feet to an iron pin; thence still by said land now or formerly of C.C. McGee South 23 degrees East two hundred forty-five and five-tenths (245.5) feet to an iron pin in the line of said State Highway Route 219; thence by line of said State Highway South 32 degrees 30 minutes West one hundred seventy feet to an iron pin at line of lot now or formerly of Cecil Work and place of beginning. Containing one and twenty-nine one hundredths (1.29) Acres.

EXCEPTING AND RESERVING all the coal and other minerals, together with the right of ingress, egress and regress to enter, mine, remove and transport said coal and other minerals, and for those purposes to construct roads, railroads, tram roads, dumps, tipples, tunnels, shafts, air shafts and other buildings, except miners houses, with the understanding that this right does not cover the construction of roads or railroads for transporting any other coal or minerals.

TOGETHER further with the release of all liability for any damage that may occur to the surface or any waters thereupon or thereunder by the removal of all said coal and other minerals, including ribs and pillars.

BEING the same premises conveyed to Robert M. Wright and Gina L. Wright, his wife, by Deed dated March 29, 1988, from Stanley M. Wright and Margaret H. Wright, his wife, of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 1217, at page 338, and by Deed dated August 24, 1998, from Margaret H. Wright, widow, of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, and identified as Instrument No. 199902016.

The premises are more particularly identified in the Clearfield County Assessment Records as Tax Map No. 102-B12-30.