

07-601-CD
Gary Smith et al vs Wayne Neeper Building

Gary Smith et al vs Wayne Neeper Building
2007-601-CD

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

GARY L. SMITH and
KIM M. SMITH,
Owners,

v.

WAYNE C. NEEPER BUILDING
AND REMODELING,
Contractor.

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* No. 07 - 601 - CD

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* 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

* NADDEO & LEWIS, LLC
* 207 East Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED
0 11:06 a.m. GK
APR 18 2007 NO CC
WAS

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

Commonwealth of Pennsylvania, County of CLEARFIELD

Local Agent:

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

STIPULATION/WAIVER OF MECHANICS' LIENS

Commitment / Policy No. 2007

On this 18th day of April, 2007, before me personally appeared Gary L. Smith and Kim M. Smith, Owner of the property ("Owner"), and Wayne C. Neeper Building & Remodeling, 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:
residential dwelling

located on the real property described as follows:

Covington Township, Clearfield County, Pennsylvania, consisting of 27.794 acres recorded in the Office of the Register & Recorder for Clearfield County as Instrument No. 200607764.

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>Gary L. Smith</u>		Owner	<u>Kim M. Smith</u>	
Gary L. Smith Owner		Kim M. Smith Owner		
State of <u>Pennsylvania</u> , County of <u>Clearfield</u>				
<input checked="" type="checkbox"/> INDIVIDUAL: On this, the <u>18th</u> day of <u>April</u> , 20 <u>07</u> , the undersigned officer, personally appeared <u>Gary L. Smith and Kim M. Smith</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 <u>18th</u> day of <u>April</u> , 20 <u>07</u> , the undersigned officer, personally appeared _____, acknowledged himself to be the _____ of _____, 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.				
<u>Linda C. Lewis</u>		<div style="border: 1px solid black; padding: 2px;"> COMMONWEALTH OF PENNSYLVANIA Notarial Seal Linda C. Lewis, Notary Public Clearfield Boro, Clearfield County My Commission Expires July 25, 2007 </div>		
Signature _____ Title _____				
If Notary, my commission expires: _____				

<u>Wayne C. Neeper Building & Remodeling</u>		General Contractor
<u>Wayne C. Neeper</u>		
State of <u>Pennsylvania</u> , County of <u>Clearfield</u>		
<input checked="" type="checkbox"/> INDIVIDUAL: On this, the <u>18th</u> day of <u>April</u> , 20 <u>07</u> , the undersigned officer, personally appeared <u>Wayne C. Neeper</u> , 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.		
<input type="checkbox"/> CORPORATION: On this, the <u>18th</u> day of <u>April</u> , 20 <u>07</u> , the undersigned officer, personally appeared _____, acknowledged himself to be the _____ of _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as _____.		
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