

07-1036-CD
Joel Albert et al vs B. Bloxdorf et al

2007-1036-CD
Joel Albert et al vs Brett Bloxdorf

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

JOEL L. ALBERT AND PATRICIA A.
ALBERT, HIS WIFE

Plaintiffs

vs.
BRETT BLOXDORF CONTRACTING

Defendant

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No. 07- 1036- C 0

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TYPE OF CASE:
Civil Action

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TYPE OF PLEADING:
Stipulation Against Liens

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FILED ON BEHALF OF:
Plaintiff

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COUNSEL OF RECORD
FOR THIS PARTY:
David R. Thompson, Esquire
Attorney at Law
Supreme Court I.D. 73053
308 Walton Street, Suite 4
P.O. Box 587
Philipsburg PA 16866
(814) 342-4100

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William A. Shaw
Prothonotary/Clerk of Courts

2 CERT TO

ATTY

STIPULATION AGAINST LIENS

JOEL L. ALBERT AND PATRICIA A.
ALBERT, HIS WIFE
Homeowner

In the Court of Common Pleas,
County of
CLEARFIELD, Pennsylvania

vs. Number _____ Term, 2007

BRETT BLOXDORF CONTRACTING
Contractor

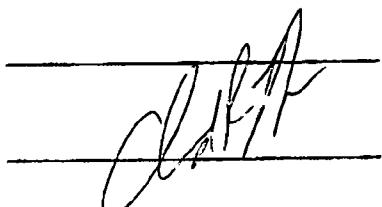
WHEREAS, **JOEL L. ALBERT AND PATRICIA A. ALBERT**, husband and wife, currently of PO Box 16, Kylertown, PA 16847, about to execute contemporaneously herewith, a contract, with **BRETT BLOXDORF CONTRACTING**, of 318 Wilderness Lane, Mahaffey, PA 15757, for the construction of a home upon premises situate in the Township of Boggs, Clearfield County, Pennsylvania, bounded and described as follows:

SEE EXHIBIT "A"

NOW, June 29, 2007, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **JOEL L. ALBERT AND PATRICIA A. ALBERT**, husband and wife, to the said **BRETT BLOXDORF CONTRACTING**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **JOEL L. ALBERT AND PATRICIA A. ALBERT**, husband and wife, and further by, **BRETT BLOXDORF CONTRACTING**, it is agreed that no lien shall be filed against the building by the contractor, or any sub-contractor, nor by any of the material men or workmen or any other person for any labor, 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 AND SEALED IN THE PRESENCE OF:



Joel L. Albert
Homeowner - Joel L. Albert



Patricia A. Albert
Homeowner - Patricia A. Albert

BRETT BLOXDORF CONTRACTING


Contractor



Exhibit "A"

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

BEGINNING at a 34 inch White Oak on the West right-of-way line of Township Road T-667, said 34 inch White Oak being the southeast corner of land of now or formerly Wensil G. Fleck, and said 34 inch White Oak being the northeast corner of the land herein described; thence along the West right of way line of Township Road T-667 South 00 degrees 00 minutes 53 seconds West 638.15 feet to a point; thence by same South 00 degrees 42 minutes 38 seconds West 909.58 feet to a point; thence by same South 00 degrees 04 minutes 45 seconds East 1038.87 feet to a 36 inch White Oak; thence along the line of land of now or formerly Compass Coal Co., Inc., And now or formerly Brinton R. and Mary R. Dickson North 89 degrees 45 minutes 51 seconds West 2054.15 feet to an iron pipe; thence along the line of land of now or formerly Herbert C. and Cynthia M. Axe North 00 degrees 14 minutes 52 seconds East 892.42 feet to an iron pin; thence along the line of land of now or formerly Charles S. and Carol J. Gardner South 89 degrees 36 minutes 00 seconds East 450.00 feet to an iron pin; thence by same North 00 degrees 14 minutes 24 seconds East 799.33 feet to an iron pin; thence along the West side of a 50 foot common use road the following courses and distances: North 60 degrees 22 minutes 10 seconds West 208.97 feet to an iron pin, North 47 degrees 06 minutes 32 seconds West 93.35 feet to an iron pin, North 39 degrees 49 minutes 11 seconds West 146.57 feet to an iron pin, North 21 degrees 26 minutes 33 seconds West 52.91 feet to an iron pin, North 09 degrees 40 minutes 12 seconds West 77.31 feet to an iron pin, North 05 degrees 17 minutes 26 seconds West 103.04 feet to an iron pin, North 00 degrees 05 minutes 34 seconds East 135.23 feet to an iron pin, North 09 degrees 51 minutes 25 seconds West 50.73 feet to an iron pin, North 14 degrees 23 minutes 04 seconds West 49.97 feet to an iron pin, North 10 degrees 54 minutes 50 seconds West 165.63 feet to an iron pin; thence along the line of land of now or formerly Robert D. Mason and Wensil G. Fleck South 89 degrees 36 minutes 00 seconds East a distance of 2044.96 feet to a 34 inch White Oak and the place of beginning. **CONTAINING** 105.362 acres. **BEING** Lot No. 2 of the Beatrice H. Avery Subdivision dated May 8, 2003 and recorded May 13, 2003 to Instrument #200307979.

THIS CONVEYANCE includes the right to use the existing access road between the northwest corner of the land herein described and State Highway SR 0970.

EXCEPTING AND RESERVING Lot No. 1 of the Beatrice H. Avery Subdivision being described as follows: **BEGINNING** at a 3/4 inch iron rebar, said rebar being the Northwest corner of the land herein described and said rebar being the following courses and distances along the West side of a 50 foot common use right of way from the Northeast corner of Lot No. 2 of the Beatrice H. Avery Subdivision, South 10 degrees 54 minutes 50 seconds East 165.63 feet to an iron pin, South 14 degrees 23 minutes 04 seconds East

49.97 feet to an iron pin, South 09 degrees 51 minutes 25 seconds East 50.73 feet to an iron pin, South 00 degrees 05 minutes 34 seconds West 135.23 feet to an iron pin, South 05 degrees 17 minutes 26 seconds East 103.04 feet to an iron pin, South 09 degrees 40 minutes 12 seconds East 77.31 feet to an iron pin, South 21 degrees 26 minutes 33 seconds East 52.91 feet to an iron pin, South 39 degrees 49 minutes 11 seconds East 146.57 feet to an iron pin, South 47 degrees 06 minutes 32 seconds East 93.35 feet to an iron pin, South 60 degrees 22 minutes 10 seconds East 591.16 feet to a point; thence along the wes: line of land herein described as Lot No. 1 of the Beatrice H. Avery Subdivision North 00 degrees 14 minutes 24 seconds East 101.88 feet to a 3/4 inch iron rebar and the place of beginning of the land herein reserved; thence through residue of Lot No. 2 of the Beatrice H. Avery Subdivision South 89 degrees 45 minutes 36 seconds East 464.00 feet to a 3/4 inch rebar; thence by same South 00 degrees 14 minutes 24 seconds West 564.00 feet to a 3/4 inch iron rebar; thence by same North 89 degrees 45 minutes 36 seconds West 464.00 feet to a 3/4 inch iron rebar; thence by same North 00 degrees 14 minutes 24 seconds East 564.00 feet to a 3/4 inch iron rebar and the place of beginning. CONTAINING 6.008 acres, and being Lot No. 1 of the Beatrice H. Avery Subdivision dated May 8, 2003 and recorded May 13, 2003 to Instrument #200307979.

BEING further identified as Clearfield County Tax Parcel No. 105-N10-4 as shown on the assessment map in the records of Clearfield County, PA.