

07-1103-CD
G. Jesberger vs Fine Line Homes

2007-1103-CD
Gordon Jesberger et al vs Fine Line Homes

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA
CIVIL DIVISION - LAW

GORDON L. JESBERGER AND SHERRY L.
JESBERGER, HIS WIFE

Plaintiffs

vs.

FINE LINE HOMES,

Defendant

*
*
* No. 07- 1103 - C.D

* TYPE OF CASE:
* Civil Action

* TYPE OF PLEADING:
* Stipulation Against Liens

* FILED ON BEHALF OF:
* Plaintiff

* 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

FILED

JUL 16 2007

o 11:55 AM
William A. Shaw
Prothonotary/Clerk of Courts

145m to
Att

STIPULATION AGAINST LIENS

GORDON L. JESBERGER AND SHERRY L.
JESBERGER, HIS WIFE
Homeowner

In the Court of Common Pleas,
County of

vs.

Number Term, 2007

FINE LINE HOMES
Contractor

WHEREAS, **GORDON L. JESBERGER AND SHERRY L. JESBERGER**, husband and wife, currently of 127 Zachary Road, Kersey, PA 15846, about to execute contemporaneously herewith, a contract, with **FINE LINE HOME**, of 1426 Benner Pike, State College, Pennsylvania, 16801, for the construction of a home upon premises situate in the Township of Graham, Clearfield County, Pennsylvania, bounded and described as follows:

SEE EXHIBIT "A"

NOW, , 2007, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **GORDON L. JESBERGER AND SHERRY L. JESBERGER**, husband and wife, to the said **FINE LINE HOMES**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **GORDON L. JESBERGER AND SHERRY L. JESBERGER**, husband and wife, and further by, **FINE LINE HOMES**, 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:

Homeowner - Gordon L. Jesberger

Sherry L. Jesberder
Homeowner - Sherry L. Jesberder

FINE LINE HOMES

Aaron E. Conner FLH
Contractor ASST. SECRETARY

Exhibit "A"

ALL that certain piece or parcel of land situated in the Village of Kylertown, Township of Cooper, County of Clearfield, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a 3/4" rebar (set), on the northern right of way line of Erickson Drive, said rebar being the southeast corner of Lot Number 43 of the Larson Subdivision, said rebar being the southwest corner of the parcel herein conveyed and running; thence along the eastern line of Lot Number 43 of the Larson Subdivision north 17 degrees 22 minutes 08 seconds East (erroneously referred to as West in prior deeds) a distance of 163.21 feet to a 3/4" rebar (set), said rebar being on the southern line of lands of Lot 35 of the Larson Subdivision; thence along the southern line of Lot 35 and also along the southern line of Lot Number 34 South 87 degrees 01 minutes 19 seconds east a distance of 183.01 feet to a 3/4" rebar (set), said rebar being on the western right of way of Erickson Drive; thence along the right of way line of Erickson Drive the following courses and distances: South 01 degree 54 minutes 43 seconds West a distance of 129.82 feet to a 3/4" rebar (set); 39.38 feet along an arc of a circle a radius of 25.00 feet, curving to the right, the chord of said arc running South 47 degrees 02 minutes 34 seconds West a distance of 35.44 feet to a 3/4" rebar (set); North 87 degrees 49 minutes 35 seconds West a distance of 201.37 feet to a 3/4 rebar (set) and place of beginning.

CONTAINING 31885.92 square feet (0.732 acres) and known as Lot 44 of the Larson Subdivision dated April 27, 2007 and recorded at Map File #1602.

Granting and conveying rights of way to connect to the existing utilities located near the southern line of this parcel herein above described.

EXCEPTING AND RESERVING rights of way pertaining to the existing utilities located near the northern line of the lot here above described and also reserving the rights of way pertaining to the existing public water line located on the northern line of this parcel of land as shown on the recorded map. Also excepting and reserving the right of way for Lot Number 43 to connect to the existing sewer line tap located near the southeast corner of Lot Number 44 of the Larson Subdivision.

ALSO EXCEPTING AND RESERVING the rights of way and all the repair rights pertaining to the existing main sewer line located along the western boundary of the above-described parcel of land.

ALSO EXCEPTING AND RESERVING the rights of way for Lot Number 35 and Lot Number 34 to connect to the existing sewer line tap and maintain the sewer line located near the northwest corner of Lot Number 44 of the Larson Subdivision. The said sewer tap lines are also located along the western line of Lot Number 44 of the Larson Subdivision and said sewer line having a 15 foot wide easement of such maintenance.

ALSO EXCEPTING AND RESERVING a 20 foot wide strip of land located along the western line of the above-described parcel of the maintenance of the storm water management plan implemented by the Larson Subdivision.

BEING further identified as Clearfield County Tax Parcel No. 110-R8-14 as shown on the assessment map in the records of Clearfield County, PA.