

08-310-CD

Treasure Lake al vs Hallstron Const. Inc.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

TREASURE LAKE INTER-
DENOMINATIONAL CHURCH,
Owner/Plaintiff

VS.

HALLSTROM
CONSTRUCTION, INC.
Contractor/Defendant

No. 08-310-CD

Type of pleading:
WAIVER OF RIGHT TO
FILE MECHANIC'S LIEN

Filed on behalf of:
Owner/Plaintiff

Counsel of Record for This
Party:

Robert M. Hanak, Esquire
Supreme Court No. 05911
Hanak, Guido and Taladay
528 Liberty Boulevard
P. O. Box 487
DuBois, PA 15801

814-371-7768

Dated: 2-14-08

To the Prothonotary:

Kindly index this in the name of the Contractor as both the Plaintiff and Defendant, and in the name of the Owner as both Plaintiff and Defendant.

FILED Any pd.
01/10/08 20.00
FEB 25 2008
No CC
William A. Shaw
Prothonotary/Clerk of Courts

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OF CLEARFIELD COUNTY, PENNSYLVANIA

TREASURE LAKE INTER-
DENOMINATIONAL CHURCH,
Owner/Plaintiff

No. _____

VS.

HALLSTROM
CONSTRUCTION, INC.
Contractor/Defendant

WAIVER OF RIGHT TO FILE MECHANIC'S LIEN

WHEREAS, Treasure Lake Interdenominational Church, a Pennsylvania nonprofit corporation, of 226 Treasure Lake, DuBois, Pennsylvania, Owners, have entered into a contract with Hallstrom Construction, Inc., of 101 East Long Avenue, DuBois, Pennsylvania, Contractor, with regard to the construction of an addition to their existing church building located in Treasure Lake, Sandy Township, Clearfield County, Pennsylvania, on premises described on the attached Exhibit "A".

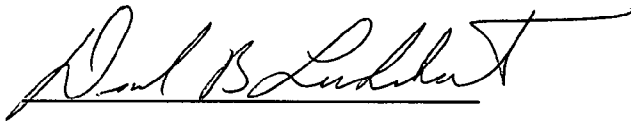
NOW, THEREFORE, it is hereby stipulated and agreed by and between the parties hereto, as part of the said contract and for the consideration therein set forth, that neither the undersigned Contractor, any subcontractor, materialmen, or mechanic, nor any other person furnishing labor or materials to the said Contractor under this contract shall file any mechanic's or other lien or claim for work done or material furnished in or about the performance of said contract against the ground upon which the structure or work herein provided for is erected or done or against any structure thereon erected or to

be erected, or against any structure or property whatsoever covered by said contract.

THIS stipulation is specifically made with the purpose and intent that it be filed in the Prothonotary's Office of Clearfield County, Pennsylvania, in accordance with and under and by virtue of an Act titled Mechanic's Lien Law of 1963, P.L. 1175, No. 497, as amended, in order to operate as a complete waiver by the Contractor and all subcontractors of the right to file any mechanic's lien of any nature and in any manner.

IN WITNESS WHEREOF, the said parties have caused this waiver to be duly executed the 14th day of February, 2008.

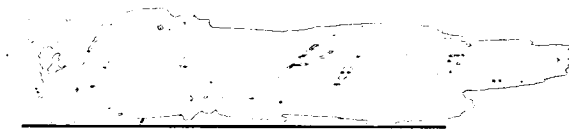
Attest:



TREASURE LAKE
INTERDENOMINATIONAL CHURCH,
Owner

By: 
Chairman of the Board

Attest:



Hallstrom Construction, Inc.,
Contractor

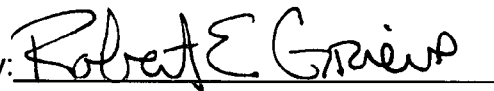
By: 
PRESIDENT

EXHIBIT 'A'

ALL that certain tract of land lying and being situate in Sandy Township, Clearfield County, Pennsylvania, and being more particularly described as follows:

A parcel of land shown as BUENA VISTA on the plat of JAMAICA in Section No. 6-A of the Treasure Lake Plan, Sandy Township, Clearfield County, Pennsylvania, recorded on September 6, 1968, in Plan Book Volume 147, page 26 of the Public Records of said Clearfield County.

THIS conveyance is conditional upon the premises herein conveyed being used for the sole purpose of carrying on active and regular Christian church services and other religious activities related thereto for the benefit and uplifting of the Treasure Lake Community by the Grantee, its successors and assigns. This condition shall be enforceable by the Grantor and its assigns in a Court of Equity or Law having jurisdiction thereof.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING Parcels No. 128.0-C2-06A-00999-00-21 and 128.0-C2-06A-00999-TX-21.

BEING the same premises which were conveyed to Treasure Lake Interdenominational Church by deed of Treasure Lake of Pennsylvania, Inc., dated August 6, 1979, recorded September 19, 1979, in Clearfield County Deed Book 787, page 308.

These premises are subject to certain use regulations which prohibit non-religious activity on the premises as created by the prior deed. By simultaneous document, these use restrictions have been waived in the event of default, foreclosure, or execution. See simultaneously recorded Partial Waiver-Deed Condition document in the Office of the Recorder of Clearfield County, Pennsylvania.