

08-710-CD

P. Hockenberry al vs Barton Contracting

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

PATRICK J. HOCKENBERRY AND HOLLY
HOCKENBERRY

Plaintiffs

vs.

BARTON CONTRACTING,

Defendant

No. 08-710 -CD

TYPE OF CASE:

Civil Action - law

TYPE OF PLEADING:

Stipulation Against Liens

FILED ON BEHALF OF:

Plaintiffs

COUNSEL OF RECORD FOR
THIS PARTY:

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Supreme Court ID 73053

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APR 17 2008
ICC Att'y
William A. Shaw
Prothonotary/Clerk of Courts

STIPULATION AGAINST LIENS**PATRICK J. HOCKENBERRY AND**
HOLLY HOCKENBERRY

Homeowner

In the Court of Common Pleas,
County ofClearfield, Pennsylvania

vs.

Number _____ Term, 2008

BARTON CONTRACTING

Contractor

WHEREAS, **PATRICK J. HOCKENBERRY AND HOLLY HOCKENBERRY**, currently of 117 N Potter Street, Bellefonte, PA 16823, has contracted with **BARTON CONTRACTING**, of Fleming, Pennsylvania, for electrical improvements to a home on premises situate in the Township of Cooper, Clearfield County, Pennsylvania, bounded and described as follows:

SEE EXHIBIT "A"

NOW, *April 17*, 2008, at the time of and immediately before the execution of the principal contract, and before any authority has been given by the said **PATRICK J. HOCKENBERRY AND HOLLY HOCKENBERRY**, to the said **BARTON CONTRACTING**, to commence work on the said building, or purchase materials for the same in consideration of the making of the said contract with **PATRICK J. HOCKENBERRY AND HOLLY HOCKENBERRY**, and further by, **BARTON 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:

Patrick J. Hockenberry
Homeowner - Patrick J. Hockenberry

Holly M. Hockenberry
Homeowner - Holly Hockenberry

BARTON CONTRACTING

Barry Barton
Contractor

EXHIBIT "A"

ALL those certain lots or pieces of ground located in the Township of Cooper, County of Clearfield and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a post located on corner of Lot No. 7 in Town Plot of Winburne (unrecorded); thence East 175 feet along unnamed alley to post; thence South 50 feet along unnamed alley to stake corner of Lot No. 8, now or formerly of Harry Bowersox; thence West 164.5 feet along Lot No. 8 to stake; thence North $7\frac{3}{4}$ degrees West along East side of Main Street, 51 feet to place of beginning.

The coal being reserved to prior parties entitled.

BEING further identified as a portion of Clearfield County Tax Parcel No. 110-S9-537-13 as shown on the assessment map in the records of Clearfield County, PA.

THE SECOND THEREOF: BEGINNING at southwest corner of property, same being corner at intersection of unnamed alley and main road leading to Winburne Station; thence North four and one-fourth ($4\frac{1}{4}$) degrees east fifty-five (55) feet to post; thence South eighty-five and three quarters ($85\frac{3}{4}$) degrees East forty-two (42) feet to post; thence South four and one fourths ($4\frac{1}{4}$) degrees West five (5) feet to post; thence South eighty-five and three quarters ($85\frac{3}{4}$) degrees east one hundred thirty three (133) feet to post; thence South four and one-fourth ($4\frac{1}{4}$) degrees West fifty (50) feet to post; thence North eighty-five and three quarters ($85\frac{3}{4}$) degrees west one hundred seventy five (175) feet to post and place of beginning.

BEING further identified as Clearfield County Tax Parcel No. 110-S9-537-33 as shown on the assessment map in the records of Clearfield County, PA.