

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
CIVIL DIVISION

CHRISTOPHER T. MICHAEL and

PATTY J. MICHAEL

Plaintiffs

vs

WELCOME HOME CENTERS,

Defendant

No. 08-787-CD

Filed on behalf of: **Plaintiffs**

Type of Pleading:

Stipulation Against Liens

Filed by:

Unlimited Real Estate Services, Inc.

331 East Market Street

Clearfield, PA 16830

(814) 765-6791

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(LW)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NO. 08- -CD

Stipulation Against Liens

THIS AGREEMENT, made this 28th day of April, 2006, **BETWEEN**
CHRISTOPHER T. MICHAEL and **PATTY J. MICHAEL**, husband and wife, of 3875
Irvona Road, Irvona, Clearfield County, Pennsylvania 16656, herein referred to as Owners,

- A N D -

WELCOME HOMES CENTER, of 6083 Route 219, Brockway, Pennsylvania 15824,
herein referred to as Contractor,

WHEREAS, CHRISTOPHER T. MICHAEL and PATTY J. MICHAEL, Owners
herein, are about to execute contemporaneously herewith, a contract, with WELCOME
HOMES CENTER, Contractor herein to provide materials and/or to perform labor
necessary for the construction and erection or the alteration and repair of (a) building(s)
upon those certain pieces or parcels of land situated in Jordan Township, County of
Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

ALL that parcel of land known as Lot 1A of the Theresa Reed and James G. and Georgie M. Cox
Subdivision dated September 7, 2007, lying southeast of the village of Berwinsdale and lying south of
Pennsylvania State Route 3005, also known as Irvona Road, lying in Jordan Township, Clearfield County,
Pennsylvania and being more particularly described as follows:

BEGINNING at an axle found witnessed at a northern corner of Bill A. and LuAnne H. Ricketts, as was
conveyed by deed book 616, page 220, said axle being a western corner of Patrick H. Mowrey, et al, as
was conveyed by deed book 1278, page 438, said axle also being an eastern corner of Daniel and Kerry
Fraily, as was conveyed by deed book 1213, page 069, said axle being also the southern most corner of
the land herein described and running:

Thence North 40 degrees 52 minutes 50 seconds West a distance of 900.60 feet, along Daniel and Kerry
Fraily to an iron rail found, said rail being the southwestern corner of Donald E. and Della Wharton, as was
conveyed by deed book 735, page 515;

Thence North 83 degrees 39 minutes 29 seconds East and passing through a 1 ¾ inch iron pin found witnessed at 629.04 feet and continuing on for a total distance of 702.76 feet, along Donald E. and Della Wharton to a point on the eastern right of way line of an abandoned railroad grade;

Thence North 32 degrees 54 minutes 40 seconds West a distance of 304.72 feet, along the former railroad property, now owned by Donald E. and Della Wharton, as was conveyed to them by deed book 811, page 372 to a point;

Thence, 239.96 feet along an arc of a circle, curving to the left with a 1,348.63 foot radius, the long chord of which bears North 38 degrees 00 minutes 30 seconds West a distance of 239.64 feet, along the same to a point at the southern most corner of Lee W. Green and Betty M. Queen, as was conveyed by deed book 769, page 434, said point being North 42 degrees 19 minutes 08 seconds East 2.42 feet from a 1 ¼ inch iron pipe found;

Thence North 42 degrees 19 minutes 08 seconds East a distance of 111.87 feet, along Lee W. Green and Betty M. Queen to a point on the centerline of Pennsylvania State Route 3005, said line passing though a ¾ inch rebar set 31.17 feet back from said centerline;

Thence along the centerline of Pennsylvania State Route 3005 the following courses and distances:

1. South 31 degrees 58 minutes 37 seconds East a distance of 455.21 feet;
2. 485.24 feet along an arc of a circle, curving to the left with a 1,042.89 foot radius, the long chord of which bears South 45 degrees 17 minutes 22 seconds East a distance of 480.87 feet;

Thence South 58 degrees 37 minutes 08 seconds East a distance of 129.64 feet to a northern corner of Patrick Mowrey, et al.;

Thence South 48 degrees 49 minutes 18 seconds West a distance of 750.12 feet, along Patrick H. Mowrey, et al., to an axle found witnessed and place of beginning, said line passing through a ¾ inch rebar set at 31.75 feet.

Together with and subject to covenants, easements and restrictions of record.

Containing 11.649 acres total minus 0.736 acre for the right-of-way of Pennsylvania State Route 3005, minus 0.798 acre for the old railroad right-of-way, leaving 10.115 acres net and known as Lot 1A of the Theresa Reed and James G. and Georgie Cox Subdivision dated September 7, 2007, and shown on map prepared by Curry and Associates. Bearings sited above are based on True North.

Being identified in the Clearfield County Mapping and Assessment Office as a portion of Tax Map No. 120-G15-000-00041 and 120-G15-000-00050.

NOW, the day and date first above written, and at the time of and immediately before the execution of the principle contract, and before any authority has been given by the said owners to the said contractor to commence work on the said building, or purchase

materials for the same in consideration of the making of the said contract with owner and the further consideration of one (\$1.00) to contractor paid by owner, it is hereby agreed by and between the said parties hereto that the said contractor for themselves and their sub-contractor and all parties acting through or under them, covenant and agree that no mechanics lien or claim shall be filed or maintained by them, or any of them, against the said building and lot of ground appurtenant thereto, for or on account of any work done or materials furnished by them, or any of them, under the principle contract or otherwise for, toward, in, or about the erection and construction of the said building, and the said contractor, for themselves and their sub-contractor and others under them, hereby expressly waive and relinquish the right to have or maintain any mechanics lien or claim against the said building or the lot of ground appurtenant thereto, and that this agreement waiving the right of lien shall be an independent covenant.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals this day and date first above written.

WITNESSES:

WELCOME HOMES CENTER

By

Patricia J. Jorgida
Contractor

Chris Michael

CHRISTOPHER T. MICHAEL, Owner

Patty J. Michael

PATTY J. MICHAEL, Owner