

08-2282-CD
Family Mobile Home vs K. Williams et al

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Family MOBILE Homes
(Plaintiff)

CIVIL ACTION

1083 E. PLEASANT VALLEY No. 08-2282-CD
(Street Address) BLVD
Antonia, PA 16602 Type of Case: _____
(City, State ZIP)

Type of Pleading: _____

Filed on Behalf of:

vs.

KENNETH C WILLIAMS (Plaintiff/Defendant)
(Defendant)
JACQUELINE M. Holney-WILLIAMS
3532 DERRY STREET
(Street Address)

HARRISBURG, PA 17111
(City, State ZIP)

STRATFORD SETTLEMENTS, INC
(Filed by)

506 SOUTH Mtn STREET Telephone
(Address) PA 16003

724-453-3181

(Phone)

(Signature)

5
FILED No cc

03/21/08
NOV 25 2008 Stratford Settlements
pd. 20.00

William A. Shaw
Prothonotary/Clerk of Courts

NO LIEN AGREEMENT

THIS AGREEMENT, made and entered into the 14TH Day of NOVEMBER, 2008, by and between FAMILY MOBILE HOMES, hereinafter designated as contractor, and KENNETH C. WILLIAMS AND JACQUELINE M. HUGNEY-WILLIAMS hereinafter designated as owners.

WITNESSETH: That by a certain contract, of even date herewith, the contractor, in consideration of the covenants to be performed and payments to be made by or on account of the owner, did covenant and agree to furnish all labor and materials and perform all work necessary to complete in the most substantial manner and to the satisfaction and acceptance of the owner,

NOW THEREFORE, the contractor, in consideration of the sum of one (\$1.00) dollar and of the covenants and provisions in said contract contained, does hereby covenant, stipulate and agree, and it is also covenanted, stipulated and agreed in the above-recited contract, as follows:

Contractor shall erect a single family residential dwelling on property situate in COVINGTON TOWNSHIP, County of CLEARFIELD and COMMONWEALTH of PENNSYLVANIA, and being known as 1070 (LOT # 3) VFW ROAD FRENCHVILLE, PA 16836

SEE ATTACHED LEGAL DESCRIPTION MADE PART OF HERETOFORE

That there shall be no lien or right to file a lien against the structures or improvements contracted for in the above recited contract, or any part thereof, or the site thereof, for work or labor done or materials furnished in the performance of the work embraced in said recited contract, or any part or parts thereof, or extra work thereunder or changes made therein; and that no such lien or claim shall be filed, or in any way attempted to be enforced by, or on behalf of, the contractor, or by or on behalf of, any sub-contractors, material men or other persons concerned in or about the performance of the work embraced in said contract, nor shall there by any claim for work or materials against the owner, his heirs, executors, administrators or assigns, other than the legal claim of the contractor as provided in said contract.

It is the full intent of the contractor, for himself and for any sub-contractors or material men claiming for themselves, or by, through or under the contract, that the right to file a mechanics' lien, under the provision of acts of assembly in such cases made and provided, for work done or materials furnished in and about the erection, construction or repairs of the building and improvements above described, is hereby waived.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals, the day and year first written.

WITNESSES:

Kenneth C. Williams

HERBERT C. WILHELM

JACQUELINE M. HUGNEY-WILLIAMS

Almond Vines

Family Mobile Homes
BY:

I HEREBY CERTIFY THAT THE PRECISE PROPERTY ADDRESS IS: 1070 (LOT # 3) VFW ROAD
FRENCHVILLE, PA 16836.

Frenchville, PA 16830.

LEGAL DESCRIPTION

TAX PARCEL NO. 111-Q05-000-00168

ALL THAT PARCEL OF LAND KNOWN AS LOT 3 OF THE DANIEL KING RIEHL, JR., SUBDIVISION DATED JUNE 1, 1999, SAID LOT LYING 1/2 MILE SOUTH OF PENNSYLVANIA, STATE ROUTE 879 INTERSECTION WITH TOWNSHIP ROAD T-648 IN COVINGTON TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-648 WHERE IT CROSSES OVER THE CENTERLINE OF AN UNNAMED TRIBUTARY TO SANDY CREEK, AT THE SOUTHWEST CORNER OF LOT 2 OF THE ABOVE REFERENCED SUBDIVISION, SAID REBAR BEING THE SOUTHWEST CORNER OF THE LAND HEREIN CONVEYED AND RUNNING:

THENCE ALONG THE CENTERLINE OF THE UNNAMED TRIBUTARY TO SANDY CREEK THE FOLLOWING COURSES AND DISTANCES: SOUTH 86-28-38 E 112.94 FEET; NORTH 76-39-00 E 96.92 FEET; NORTH 88-39-25 E 115.61 FEET; NORTH 50-18-54 E 97.71 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 4 OF THE ABOVE REFERENCED SUBDIVISION; THENCE SOUTH 05-47-33 W A DISTANCE OF 290.32 FEET TO A SPIKE SET IN THE CENTERLINE OF A 50 FOOT PRIVATE ROAD RIGHT-OF-WAY; THENCE NORTH 67-50-04 E A DISTANCE OF 100.92 FEET ALONG THE CENTERLINE OF THE 50 FOOT PRIVATE ROAD RIGHT-OF-WAY TO A POINT; THENCE N 70-07-38 E A DISTANCE OF 88.14 FEET ALONG THE SAME TO A POINT; THENCE NORTH 77-32-13 E A DISTANCE OF 107.39 FEET ALONG THE SAME TO A SPIKE SET ON THE WESTERN LINE OF LOT 5 OF THE ABOVE REFERENCED SUBDIVISION; THENCE SOUTH 02-51-42 W 762.33 FEET ALONG LOT 5 TO A POINT IN THE CENTERLINE OF AN UNNAMED TRIBUTARY TO SANDY CREEK, SAID LINE PASSING THROUGH A 3/4 INCH REBAR SET BACK 6.00 FEET FROM SAID TRIBUTARY; THENCE SOUTH 58-45-22 W A DISTANCE OF 76.65 FEET ALONG THE CENTERLINE OF THE UNNAMED TRIBUTARY TO SANDY CREEK TO A POINT; THENCE SOUTH 28-58-11 W A DISTANCE OF 61.33 FEET ALONG THE SAME TO A RAILROAD SPIKE SET IN THE CENTERLINE OF TOWNSHIP ROAD T-648; THENCE ALONG THE CENTERLINE OF TOWNSHIP ROAD T-648 THE FOLLOWING COURSES AND DISTANCES: BY ARC OF A CIRCLE, 423.46 FEET IN RADIUS, CURVING TO THE RIGHT AN ARC DISTANCE OF 216.70 FEET, THE CHORD OF SAID ARC BEING NORTH 40-14-04 W A DISTANCE OF 214.31 FEET; NORTH 25-34-23 W 427.54 FEET TO A SPIKE SET; NORTH 28-31-46 W 152.11 FEET TO A SPIKE SET; NORTH 31-02-22 W 146.39 FEET TO A POINT; BY ARC OF A CIRCLE, 316.19 FEET IN RADIUS, CURVING TO THE RIGHT, AN ARC DISTANCE OF 171.74 FEET, THE CHORD OF SAID ARC BEING NORTH 15-28-45 W A DISTANCE OF 169.64 FEET TO A POINT OVER THE CENTERLINE OF AN UNNAMED TRIBUTARY TO SANDY CREEK AND PLACE OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD.

(Continued on Attached)

SAID PROPERTY CONTAINING 8.175 ACRES TOTAL, MINUS 0.418 ACRE FOR THE RIGHT-OF-WAY OF TOWNSHIP ROAD T-648, LEAVING 7.757 ACRES NET AND KNOWN AS LOT 3 OF THE DANIEL KING RIEHL JR. SUBDIVISION DATED JUNE 1, 1999, AND PREPARED BY CURRY AND ASSOCIATES. BEARINGS ABOVE ARE BASED ON TRUE NORTH AS DETERMINED BY A SERIES OF SOLAR OBSERVATIONS.

FURTHER GRANTING AND CONVEYING UNTO THE GRANTEES HEREIN, THEIR HEIRS, EXECUTORS, SUCCESSORS AND ASSIGNS, THE PERPETUAL RIGHT AND PRIVILEGE OF USE OF A PRIVATE ROAD - IN COMMON WITH CURRENT OR FUTURE OWNERS OF LOT NUMBERS 4 AND 5 ON THE DANIEL KING RIEHL, JR. SUBDIVISION DATED JUNE 1, 1999, AS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF CLEARFIELD COUNTY, PENNSYLVANIA, AS INSTRUMENT NUMBER 199900935 - AS PRESENTLY LOCATED ON SAID DANIEL KING RIEHL, JR. SUBDIVISION PLAN. IT IS EXPRESSLY AGREED AND UNDERSTOOD THAT THE GRANTEE, HER HEIRS, EXECUTORS, SUCCESSORS AND ASSIGNS SHALL HAVE THE RIGHT IN COMMON WITH THE OWNERS OF LOT NUMBERS 4 AND 5 OF THE DANIEL KING RIEHL, JR. SUBDIVISION PLAN TO USE THE SAID PRIVATE ROAD AS INGRESS, EGRESS AND REGRESS TO SAID GRANTEE'S LAND. THE SAID PRIVATE ROAD IS FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A SPIKE IN THE CENTERLINE OF TOWNSHIP ROAD T-648, SAID SPIKE BEING NORTH 28-31-46 W 152.11 FEET FROM A SPIKE SET IN THE CENTERLINE INTERSECTION OF ANOTHER 50 FOOT PRIVATE ROAD, AT THE COMMON CORNER OF LOTS 1 AND 6; THENCE NORTH 72-12-35 E 145.96 FEET TO A SPIKE SET; THENCE NORTH 76-43-11 E 49.48 FEET TO A POINT; THENCE NORTH 67-50-04 E 65.43 FEET TO A SPIKE SET AT THE SOUTHWEST CORNER OF LOT 4; THENCE NORTH 67-50-04 E 100.92 FEET TO A POINT; THENCE NORTH 70-07-38 E 88.14 FEET TO A POINT; THENCE NORTH 77-32-13 E 107.39 FEET TO A SPIKE SET ON THE WESTERN LINE OF LOT 5 AND END OF THE 50 FOOT RIGHT-OF-WAY.