

DENNIS GOVACHINI

Attorney-At-Law

310-312 Pittsburgh National Bank Building
Ebensburg, Pennsylvania 15931

True and Correct Copy

Dennis Govachini

9/20/95 5
\$15.00 filing fee
paid

TOWNSHIP OF CAMBRIA
CAMBRIA COUNTY
PENNSYLVANIA

No 05-95

P291

05-95
RESOLUTION NO. 1995 - 370

A RESOLUTION ACCEPTING LOT NO. 2 AND LOT NO. 3
OF THE SUBDIVISION PLAN OF THE REVLOC SHOP PROPERTY
TO BE USED AS PUBLIC ROADS/STREETS

MOTION BY: Robert Shook

SECONDED BY: Fred Sanger

TO ADOPT THE FOLLOWING RESOLUTION:

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CLERK OF COURTS
CAMBRIA CO. PA.
SEP 20 12 40 PM '95

WHEREAS, Bethlehem Steel Corporation has offered to deed, by Special Warranty Deed, two certain lots of land owned by the said Corporation which are to be used as public roads/streets for purposes of ingress, egress and regress; and,

WHEREAS, the Supervisors of the Township of Cambria have agreed to accept, on behalf of the Township of Cambria, a Special Warranty Deed from Bethlehem Steel Corporation relative to the two certain lots of land, to be used as public roads/streets for purposes of ingress, egress and regress.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Board of Supervisors of the Township of Cambria, on behalf of said Township, as follows:

(1). The above set forth recitals are incorporated herein by reference as if set forth at length.

(2). The Special Warranty Deed from Bethlehem Steel Corporation to the Township of Cambria, deeding to the Township of Cambria two certain lots of land as described in said Special Warranty Deed and as shown as Lots No. 2 and 3 on the Subdivision Plan of the Revloc Shop Property, is hereby accepted by the

Supervisors of the Township of Cambria on behalf of the Township of Cambria.

(3). The land to be acquired by the Township by virtue of the aforesaid Special Warranty Deed from Bethlehem Steel Corporation, is to be used as public roads/streets for the purposes of ingress, egress and regress.

RESOLVED AND ENACTED this 10 day of July, 1995.

TOWNSHIP OF CAMBRIA
BY:

Robert Shook
Chairman Of The Board Of Supervisors

Fred Sangu
Supervisor

David J. Brown
Supervisor

ATTEST:

Mama Zimmerman
Secretary

DEED dated July 11, 1995, from BethEnergy
Mines Inc., a West Virginia corporation (hereinafter
called the "Grantor"), to Township of Cambria, a
Pennsylvania municipal corporation (hereinafter
called the "Grantee").

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SEP 26 12 40 PM '95

For and in consideration of the payment to it of One Dollar (\$1), the receipt of which is hereby acknowledged, the Grantor hereby grants and conveys to the Grantee the two (2) tracts of land situate in Cambria Township, Cambria County, Pennsylvania, being designated as "LOT 2" and "LOT 3" on the plan entitled "SUBDIVISION PLAN OF REVLOC SHOP PROPERTY Owned By BethEnergy Mines Inc." and dated Nov. 29, 1994, and recorded in the Office for Recording of Deeds in and for said Cambria County in Plat Map Book Vol. 7, at page 529, which are bounded and described as follows:

TRACT NO. 1

BEGINNING at the intersection of the easterly line of the right of way of Fifth Street with the southwesterly corner of the tract of land conveyed by Bethlehem Steel Corporation to Revloc Firemen's Association by Indenture dated March 1, 1965, and recorded in said Office in Deed Book Vol. 803, at page 345; thence, along the southerly line of said last-mentioned tract of land and the southerly line of lands of others, South sixty-four degrees forty-two minutes zero seconds East (S. 64° 42' 00" E.) three hundred fifty and no one-hundredths (350.00) feet to an easterly corner of the tract of land conveyed by Bethlehem Mines Corporation to Greenley Energy Holdings of Pennsylvania, Inc. by Deed dated June 14, 1984, and recorded in said Office in Deed Book

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Vol. 1131, at page 402; thence, along said last-mentioned tract of land, the following four (4) courses and distances: (1) South twenty-five degrees eighteen minutes zero seconds West (S. $25^{\circ} 18' 00''$ W.) twelve and thirty-seven one-hundredths (12.37) feet, (2) South sixty-one degrees forty-three minutes thirty-three seconds East (S. $61^{\circ} 43' 33''$ E.) sixty-one and forty-one one-hundredths (61.41) feet, (3) southeastwardly by a curve to the right the radius of which is one hundred sixty-eight and eighty-six one-hundredths (168.86) feet and the chord of which bears South thirty degrees fifty-eight minutes fourteen seconds East (S. $30^{\circ} 58' 14''$ E.) one hundred seventy-two and seventy one-hundredths (172.70) feet, an arc distance of one hundred eighty-one and twenty-eight one-hundredths (181.28) feet, and (4) South zero degrees twelve minutes fifty-seven seconds East (S. $00^{\circ} 12' 57''$ E.) four hundred eighty-seven and eight one-hundredths (487.08) feet to the northerly line of the tract of land described under the caption "No. 2" in the Indenture between Bethlehem Limestone Company and Cambria And Indiana Railroad Company dated December 24, 1963, and recorded in said Office in Deed Book Vol. 787, at page 332; thence, along said last-mentioned tract of land, the following two (2) courses and distances: (1) North eighty-five degrees fifty-four minutes twenty-one seconds West (N. $85^{\circ} 54' 21''$ W.) one hundred nine and twenty-six one-hundredths (109.26) feet and (2) northwestwardly by a curve to the left the radius of which is one thousand one hundred eleven and thirty-five one-hundredths (1,111.35) feet and the chord of which bears North eighty-seven degrees sixteen minutes zero seconds West (N. $87^{\circ} 16' 00''$ W.) fifty-two and seventy-eight one-hundredths (52.78) feet, an arc distance of fifty-two and seventy-nine one-hundredths (52.79) feet to the southeasterly corner of the tract of land described as "LOT 1" on said plan; thence, along said last-mentioned tract of land, the following nine (9) courses and distances: (1) North five degrees fifty-two minutes twenty-seven seconds East (N. $05^{\circ} 52' 27''$ E.) thirty and twenty-nine one-hundredths (30.29) feet, (2) northeastwardly by a curve to the right the radius of which is two hundred twenty-five and two one-hundredths (225.02) feet and the chord of which bears North twenty-six degrees thirty-six minutes forty-three seconds East (N. $26^{\circ} 36' 43''$ E.) one hundred fifty-eight and fifty-nine one-hundredths (158.59) feet, an arc distance of one hundred sixty-two and seven one-hundredths (162.07) feet, (3) North forty-two degrees forty-five minutes forty-seven seconds West (N. $42^{\circ} 45' 47''$ W.) fifteen and no one-hundredths (15.00) feet, (4) northeastwardly by a curve to the left the radius of which is eighty-four and seventy-two one-hundredths (84.72) feet and the chord of which bears North twenty-three degrees fifteen minutes ten seconds East (N. $23^{\circ} 15' 10''$ E.) sixty-nine and fifteen one-hundredths (69.15) feet, an arc distance of seventy-one and twenty-three one-hundredths (71.23) feet, (5) North zero degrees fifty minutes zero seconds West (N. $00^{\circ} 50' 00''$ W.) one hundred

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ninety-nine and sixty-seven one-hundredths (199.67) feet, (6) northwestwardly by a curve to the left the radius of which is three hundred twenty-four and fifty-three one-hundredths (324.53) feet and the chord of which bears North eleven degrees fifteen minutes forty-seven seconds West (N. $11^{\circ} 15' 47''$ W.) one hundred eighteen and sixty-three one-hundredths (118.63) feet, an arc distance of one hundred nineteen and thirty one-hundredths (119.30) feet, (7) northwestwardly by a curve to the left the radius of which is seventy-four and fifty-four one-hundredths (74.54) feet and the chord of which bears North forty-one degrees forty-five minutes nine seconds West (N. $41^{\circ} 45' 09''$ W.) fifty-one and twenty-four one-hundredths (51.24) feet, an arc distance of fifty-two and twenty-four one-hundredths (52.24) feet, (8) North sixty-one degrees twenty-eight minutes forty-seven seconds West (N. $61^{\circ} 28' 47''$ W.) sixty-three and seven one-hundredths (63.07) feet, and (9) North sixty-four degrees forty-four minutes twenty-five seconds West (N. $64^{\circ} 44' 25''$ W.) three hundred fifty and forty one-hundredths (350.40) feet to the easterly line of the right of way of Fifth Street; thence, along said last-mentioned easterly line, North twenty-five degrees eighteen minutes zero seconds East (N. $25^{\circ} 18' 00''$ E.) sixty-two and thirty-seven one-hundredths (62.37) feet to said BEGINNING.

CONTAINING one and sixty-eight one-hundredths (1.68) of an acre, more or less.

EXCEPTING, HOWEVER, those lands conveyed by Bethlehem Steel Corporation and BethEnergy Mines Inc. to Cambria Township by Confirmatory Deed of Dedication dated March 10, 1987, and recorded in said Office in Deed Book Vol. 1185, at page 416.

EXCEPTING, MOREOVER, all coal, fireclay, and other minerals and oil and gas all as were excepted and reserved by Bethlehem Steel Corporation in the Indenture between said Bethlehem Steel Corporation and BethEnergy Mines Inc. (under its then name Bethlehem Mines Corporation) dated August 31, 1972, and recorded in said Office in Deed Book Vol. 941, at page 277.

BEING part of the premises that were conveyed by Bethlehem Steel Corporation to Bethlehem Mines Corporation by said Indenture dated August 31, 1972. Said Bethlehem Mines Corporation changed its name to BethEnergy Mines Inc.,

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pursuant to Certificate of Name Change dated January 2, 1985, and recorded in said Office in Miscellaneous Book Vol. 34, at page 812.

EXCEPTING AND RESERVING, to the Grantor, its successors and assigns, employees, agents, invitees, lessees and licensees, and the successors and assigns of any of them, a non-exclusive easement and right of way of ingress, egress and regress with men, vehicles, machinery, equipment and materials over and across the existing unimproved road located on the southeasterly portion of the above-described TRACT NO. 1 and perpendicular to the improved road located thereon for access to the easement and right of way for ingress, egress and regress to and from other lands of the Grantor with men, vehicles, materials and machinery on, over or across that certain strip of land as was excepted and reserved in the Deed between the Grantor (under its then name Bethlehem Mines Corporation) and Greenley Energy Holdings of Pennsylvania, Inc. dated June 14, 1984, and recorded in said Office in Deed Book Vol. 1131, at page 402.

SUBJECT, HOWEVER, to the rights which were excepted and reserved by said Bethlehem Steel Corporation in said Indenture dated August 31, 1972.

SUBJECT, MOREOVER, to all conditions, restrictions, easements, encumbrances or other matters of record or which might be disclosed by an accurate survey and inspection of the tract of land hereby conveyed.

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TRACT NO. 2

BEGINNING at a point on the southerly line of the tract of land described under the caption "No. 2" in the Indenture between Bethlehem Limestone Company and Cambria And Indiana Railroad Company dated December 24, 1963, and recorded in said Office in Deed Book Vol. 787, at page 332 (said point being South five degrees fifty-two minutes thirty seconds West (S. $05^{\circ} 52' 30''$ W.) sixty and twenty one-hundredths (60.20) feet from the southwesterly corner of the above-described TRACT NO. 1); thence, along said last-mentioned southerly line, the following two (2) courses and distances: (1) by a curve to the right the radius of which is one thousand fifty-one and thirty-five one-hundredths (1,051.35) feet and the chord of which bears South eighty-seven degrees twenty-three minutes forty-three seconds East (S. $87^{\circ} 23' 43''$ E.) fifty-four and sixty-six one-hundredths (54.66) feet, an arc distance of fifty-four and sixty-six one-hundredths (54.66) feet and (2) South eighty-five degrees fifty-four minutes twenty-one seconds East (S. $85^{\circ} 54' 21''$ E.) fifteen and forty-four one-hundredths (15.44) feet; thence, through lands of the Grantor, the following four (4) courses and distances: (1) South five degrees fifty-two minutes twenty-seven seconds West (S. $05^{\circ} 52' 27''$ W.) one hundred sixty-eight and forty-eight one-hundredths (168.48) feet, (2) southwestwardly by a curve to the right the radius of which is one hundred twenty and no one-hundredths (120.00) feet and the chord of which bears South forty-one degrees forty-three minutes twenty-seven seconds West (S. $41^{\circ} 43' 27''$ W.) one hundred forty and fifty-six one-hundredths (140.56) feet, an arc distance of one hundred fifty and seventeen one-hundredths (150.17) feet, (3) South seventy-seven degrees thirty-four minutes twenty-seven seconds West (S. $77^{\circ} 34' 27''$ W.) ninety-one and twenty-seven one-hundredths (91.27) feet, and (4) South fifty-four degrees twelve minutes forty seconds West (S. $54^{\circ} 12' 40''$ W.) fifty-six and ninety-five one-hundredths (56.95) feet to the easterly line of the tract of land conveyed by Bethlehem Steel Corporation to Cambria Township Sewer Authority by Indenture dated August 24, 1971, and recorded in said Office in Deed Book Vol. 941, at page 553; thence, along said last-mentioned easterly line, North thirty-five degrees forty-seven minutes twenty seconds West (N. $35^{\circ} 47' 20''$ W.) one hundred and eighty-five one-hundredths (100.85) feet; thence, through lands of the Grantor, the following three (3) courses and distances: (1) North seventy-seven degrees thirty-four minutes twenty-seven seconds East (N. $77^{\circ} 34' 27''$ E.) one hundred eighty-three and fifty-four one-hundredths (183.54) feet, (2) northeastwardly by a curve to the left the radius of which is fifty and no one-hundredths (50.00) feet and the chord of which bears North forty-one degrees forty-three minutes twenty-seven seconds East (N. $41^{\circ} 43' 27''$ E.) fifty-eight and fifty-seven one-hundredths

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(58.57) feet, an arc distance of sixty-two and fifty-seven one-hundredths (62.57) feet, and (3) North five degrees fifty-two minutes twenty-seven seconds East (N. 05° 52' 27" E.) one hundred sixty-four and eighty-nine one-hundredths (164.89) feet to said BEGINNING.

CONTAINING seventy-three (.73) one-hundredths of an acre, more or less.

EXCEPTING, HOWEVER, all coal, fireclay, and other minerals and oil and gas all as were excepted and reserved by Bethlehem Steel Corporation in the Indenture between said Bethlehem Steel Corporation and BethEnergy Mines Inc. (under its then name Bethlehem Mines Corporation) dated August 31, 1972, and recorded in said Office in Deed Book Vol. 941, at page 277.

BEING part of the premises that were conveyed by Bethlehem Steel Corporation to Bethlehem Mines Corporation by said Indenture dated August 31, 1972. Said Bethlehem Mines Corporation changed its name to BethEnergy Mines Inc. pursuant to Certificate of Name Change dated January 2, 1985, and recorded in said Office in Miscellaneous Book Vol. 34, at page 812.

SUBJECT, HOWEVER, to the rights which were excepted and reserved by said Bethlehem Steel Corporation in said Indenture dated August 31, 1972.

SUBJECT, MOREOVER, to all conditions, restrictions, easements, encumbrances or other matters of record or which might be disclosed by an accurate survey and inspection of the tract of land hereby conveyed.

The following notice is included herein pursuant to the provisions of Act No. 431 of the Laws of 1957 of the Commonwealth of Pennsylvania, as amended:

THIS INSTRUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT

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UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT.

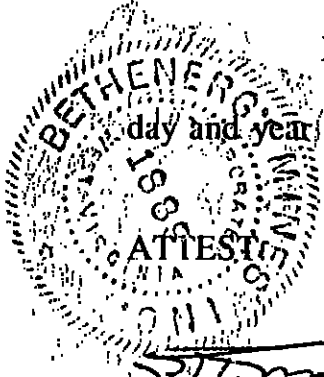
The following certification is made for the purpose of complying with the provisions of Section 14 of Act No. 1 of the 1st Special Session of 1966 of the Commonwealth of Pennsylvania, as amended, also known as "The Bituminous Mine Subsidence and Land Conservation Act":

Anything hereinbefore contained to the contrary notwithstanding, the Grantor hereby certifies that: (1) the hereinafter listed public buildings or noncommercial structures customarily used by the public, including, but not being limited to, churches, schools, hospitals, and municipal utilities or municipal public service operations; (2) the hereinafter listed dwellings used for human habitation; and (3) cemeteries or public burial grounds on the premises hereby conveyed are entitled to support from the underlying coal to the extent provided by The Bituminous Mine Subsidence and Land Conservation Act: None.

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The Grantor hereby covenants that the Grantor will warrant specially the property hereby conveyed.

IN WITNESS WHEREOF, the Grantor has executed this Deed as of the
day and year first above written.



Assistant Secretary

BethEnergy Mines Inc.,
by

John F. Lushko, Jr.
Vice President

NOTICE

The Grantee or Grantees know that he, she, it or they may not be obtaining the right of protection against subsidence resulting from coal mining operations on, beneath or adjacent to the premises hereby conveyed except to the extent provided in the certification by the Grantor hereinabove contained, and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. This acknowledgment is made for the purpose of complying with the provisions of Section 14 of Act No. 1 of the 1st Special Session of 1966 of the Commonwealth of Pennsylvania, as amended, also known as "The Bituminous Mine Subsidence and Land Conservation Act".

Robert Shuck
Chairman - Cambria Twp Supervisor

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF LEHIGH)

SS.:

On this, the 13th day of July, 1995, before me, a

Notary Public in and for the Commonwealth of Pennsylvania, personally appeared

John F. Lushie, Jr., who acknowledged himself to be a Vice President of BethEnergy Mines Inc., a corporation, and that he as such Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as a Vice President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARIAL SEAL
Dorothy A. Midash, Notary Public
City of Bethlehem, Lehigh County, Pa.
My Commission Expires Dec. 7, 1996

Dorothy A. Midash
Notary Public



I hereby certify that the precise address of the within named Grantee is:

P.O. Box 248, Bethlehem, PA 18048

[Signature]
On Behalf of the Grantee

05-95

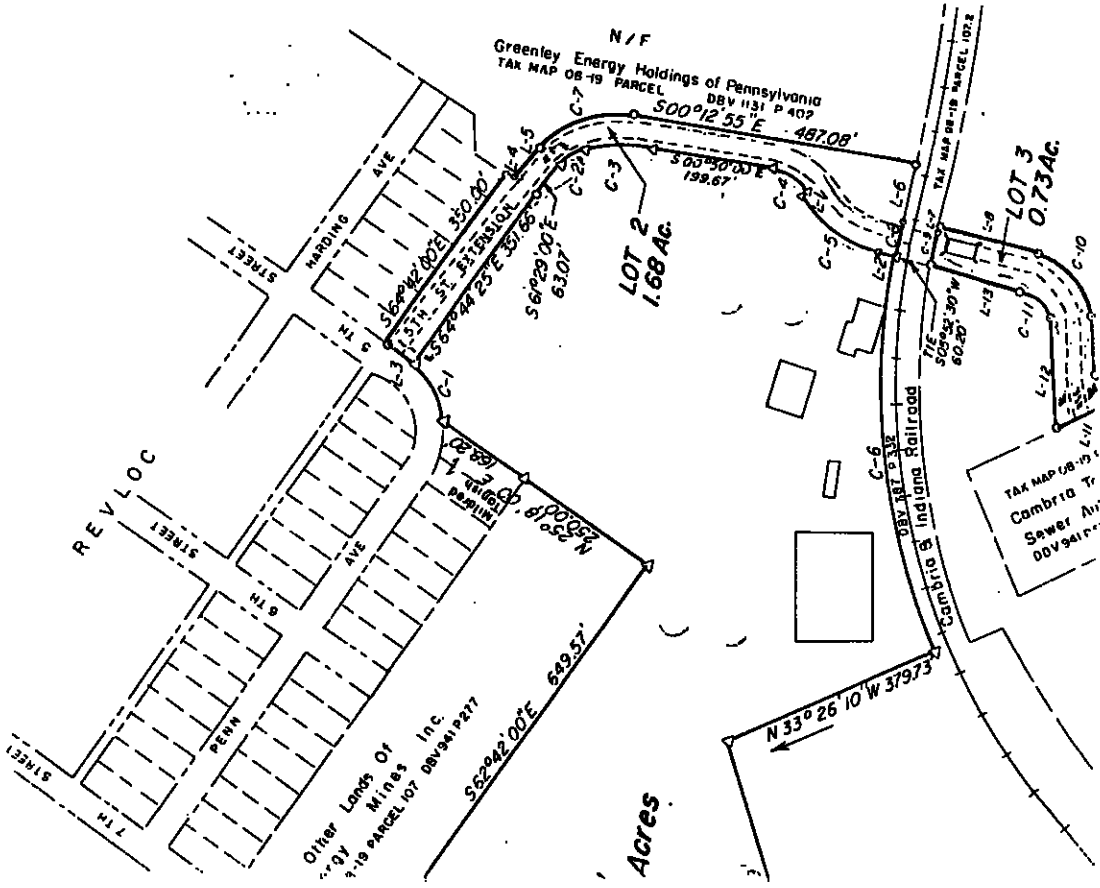
OWNER'S CERTIFICATE

in testimony whereof

SEP 20 12 40 PM '95

FILED
CLERK OF COURTS
CAMBRIA CO. PA.

LINE		TANGENT DATA	
		DISTANCE BEARING	
		LOTS 1&2	
L-1	15.00'	N42°45'47"W	
L-2	30.29'	S05°52'30"W	
L-3	62.37'	N25°18'00"E	
L-4	12.37'	S25°18'00"W	
L-5	61.41'	S61°43'30"E	
L-6	103.26'	N85°54'20"W	
		LOT 3	
L-7	15.44'	S89°54'20"E	
L-8	168.48'	S55°52'30"W	
L-9	91.27'	S77°34'30"W	
L-10	56.86'	S54°12'30"W	
L-11	100.85'	N35°47'30"W	
L-12	183.54'	N77°34'30"E	
L-13	164.89'	N05°52'30"E	
		CURVE DATA	
		CHORD	RADIUS DELTA
C-1	106.74'	104.50'	150.00' 40°46'00"
C-2	52.37'	51.24'	74.54' 40°09'00"
C-3	119.30'	118.63'	324.93' 2°03'40"
C-4	71.23'	69.15'	84.72' 48°10'00"
C-5	162.07'	158.59'	225.02' 41°16'10"
C-6	675.18'	664.84'	1111.35' 34°48'36"
C-7	181.28'	172.70'	168.86' 61°30'40"
C-8	52.79'	52.78'	1111.35' 02°41'3"
C-9	54.66'	54.66'	1051.35' 02°56'11"
C-10	150.17'	140.56'	120.00' 71°42'00"
C-11	62.57'	58.57'	50.00' 71°42'00"



05-95

RECEIPT FOR MISCELLANEOUS INCOME
=====

Cambria County Clerk of Courts
Ebensburg, Pa 15931

Receipt Date 9/20/95
Receipt Time 12:36:42
Receipt No. 0145713

MISC HOUSE ACCOUNT

Case Number 1995-99999

Remarks FILING FEE RD. DCKET/RESOLU.
5TH ST. EXT./ATTY. GOVACHINI

Total Paid *****15.00 PYMT/CHECK No. 11270

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