

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held August 4, 2022

Commissioners Present:

Gladys Brown Dutrieuille, Chairman
John F. Coleman, Jr., Vice Chairman
Ralph V. Yanora

Investigation upon the Commission's motion into matters pertaining to the proper safety of the traveling public traversing the crossing where Lighthouse Road (DOT 535 148 L) crosses, at grade, one track of Norfolk Southern Railway Company in Guilford Township, Franklin County.

Docket No.
I-2016-2527248

ORDER

BY THE COMMISSION:

By Order entered March 10, 2022, the Commission approved the Joint Petition for Settlement filed by Guilford Township, Pennsylvania Department of Transportation, Norfolk Southern Railway Company and the Commission's Bureau of Investigation and Enforcement to abolish the public crossing where Lighthouse Road (DOT 535 148 L) crosses, at grade, one track of Norfolk Southern Railway Company, located in Guilford Township, Franklin County.

Upon the entry of an order by the Commission approving the settlement, the matter was reassigned to the Commission's Bureau of Technical Utility Services, Rail Safety Section to complete a final inspection to determine that the Relief Road had been established and that the work performed by the parties within the limits of the Crossing was completed satisfactorily in accordance with the order.

A final inspection was held at the site of the Crossing on June 6, 2022, with a Commission engineer, Guilford Township, Norfolk Southern Railway Company and the Pennsylvania Department of Transportation.

At the final inspection it was noted that all work to abolish the Crossing had been completed satisfactorily except for vacating the property of the Lighthouse Road right-of-way. At the final inspection, Guilford Township requested the Commission issue an order to vacate those portions of the Lighthouse Road right-of-way as shown on the right-of-way plans and metes and bounds descriptions which were submitted to the Commission on December 21, 2021, as Exhibit “A” and Exhibit “B” of the Joint Petition for Settlement and are defined herein by this Order.

The public right-of-way of Lighthouse Road, in the vicinity of the Crossing, is to be vacated generally in accordance with the plans entitled: “RIGHT-OF-WAY ABANDONMENT GUILFORD TOWNSHIP – LIGHTHOUSE ROAD (T-425)” consisting of two (2) sheets, which were submitted to the Commission on December 21, 2021, as Exhibit “A” of the Joint Petition for Settlement and are defined herein by this Order.

The metes and bounds descriptions required for the property vacation associated with the said right-of-way plans were submitted to the Commission on December 21, 2021, as Exhibit “B” of the Joint Petition for Settlement and are defined herein by this Order.

Upon full consideration of the matter involved, we hereby approve the said right-of-way plans and vacate the property described in detail in the ordering paragraphs.

The Parties are reminded that any failure to comply with any Secretarial Letter or Order in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. §3301.

The record having been certified to this Commission, we issue this Order pursuant to Section 335(a) and 2702 of the Public Utility Code, (66 Pa. C.S. §335(a), §2702) and find that the abolition of the crossing is necessary and proper for the service, accommodation, convenience, or safety of the public; **THEREFORE,**

IT IS ORDERED:

1. That the public right-of-way of Lighthouse Road, which crosses at-grade a single track of Norfolk Southern Railway Company (DOT No. 535 148 L) in Guilford Township, be vacated generally in accordance with the plans entitled: “RIGHT-OF-WAY ABANDONMENT GUILFORD TOWNSHIP – LIGHTHOUSE ROAD (T-425)” consisting of two (2) sheets, which were submitted to the Commission on December 21, 2021, as Exhibit “A” of the Joint Petition for Settlement which plans are made part hereof and are hereby approved.

2. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described property be and is hereby vacated in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 2 of this Order and the plans approved in Paragraph No. 1 of this Order shall be recorded in the Recorder of Deeds of Franklin County, and shall be indexed under the name of the record owners of said property, Guilford Township, grantor(s), and Norfolk Southern Railway Company, grantee, at the sole cost and expense of Guilford Township;

GUILFORD TOWNSHIP
115 Spring Valley Road
Chambersburg, PA 17202

ALL THOSE CERTAIN TRACTS of land located in Guilford Township, Franklin County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 1
(Area to be Vacated)

Parcel 1448/593-Addition (Detail A)

BEGINNING at a point on the Eastern right-of-way of Molly Pitcher Highway, S.R. 0011; thence along the Eastern right-of-way of Molly Pitcher Highway, S.R. 0011, North 23 degrees 40 minutes 58 seconds East, 33.02 feet to a point at lands of Pennsylvania Lines LLC; thence along lands of Pennsylvania Lines LLC, South 64 degrees 30 minutes 54 seconds East, 56.14 feet to a point; thence through the former Lighthouse Road, T-425, South 20 degrees 49 minutes 18 seconds West, 16.55 feet to a point in the former Lighthouse Road, T-425; thence through the same, South 21 degrees 15 minutes 21 seconds West, 16.55 feet to a point at lands of Pennsylvania Lines LLC; thence along lands of Pennsylvania Lines LLC, North 64 degrees 30 minutes 54 seconds West, 57.67 feet to a point on the Eastern right-of-way of Molly Pitcher Highway, S.R. 0011, the place of beginning.

CONTAINING 1,878 sq. ft. or 0.0431 acres

The above tract of land shown on the plans titled “RIGHT-OF-WAY ABANDONMENT GUILFORD TOWNSHIP – LIGHTHOUSE ROAD (T-425)”, as area to be vacated and designated and delineated as parts of Lighthouse Road, being portions of real estate, which became legally vested in Guilford Township, County of Franklin, Commonwealth of Pennsylvania having been incorporated in 1751.

3. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described properties be and are hereby vacated in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 3 of this Order and the plans approved in Paragraph No. 1 of this Order shall be recorded in the Recorder of Deeds of Franklin County, and shall be indexed under the name of the record owners of said property, Guilford Township, grantor(s), and Target Corporation, grantee, at the sole cost and expense of Guilford Township;

GUILFORD TOWNSHIP
115 Spring Valley Road
Chambersburg, PA 17202

ALL THOSE CERTAIN TRACTS of land located in Guilford Township, Franklin County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 2
(Area to be Vacated)

Parcel 1806/390-Addition (Detail B)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, and along lands of Pennsylvania Lines LLC, North 20 degrees 49 minutes 18 seconds East, 27.12 feet to a point at lands of Target Corporation; thence along lands of Target Corporation, South 62 degrees 36 minutes 17 seconds East, 30.24 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, and through the former Lighthouse Road, T-425, South 20 degrees 49 minutes 18 seconds West, 27.17 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, North 62 degrees 30 minutes 58 seconds West, 30.24 feet to a point, the place of beginning.

CONTAINING 815 sq. ft. or 0.0187 acres

Tract No. 3
(Area to be vacated)

Parcel 1806/390-Addition (Detail F)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, and along lands of WCN Properties LP, North 21 degrees 33 minutes 15 seconds East, 27.99 feet to a point at lands of Target Corporation; thence along lands of Target Corporation, South 62 degrees 36 minutes 17 seconds East, 50.26 feet to a point at lands of WCN Properties LP; thence through the former Lighthouse Road, T-425, South 21 degrees 33 minutes 15 seconds West, 29.16 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, North 61 degrees 17 minutes 08 seconds West, 50.39 feet to a point, the place of beginning.

CONTAINING 1429 sq. ft. or 0.0328 acres

The above two (2) tracts of land shown on the plans titled “RIGHT-OF-WAY ABANDONMENT GUILFORD TOWNSHIP – LIGHTHOUSE ROAD (T-425)”, as area to be vacated and designated and delineated as parts of Lighthouse Road, being portions of real estate, which became legally vested in Guilford Township, County of Franklin, Commonwealth of Pennsylvania having been incorporated in 1751.

4. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described property be and is hereby vacated in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 4 of this Order and the plans approved in Paragraph No. 1 of this Order shall be recorded in the Recorder of Deeds of Franklin County, and shall be indexed under the name of the record owners of said property, Guilford Township, grantor(s), and West Penn Power, grantees at the sole cost and expense of Guilford Township;

GUILFORD TOWNSHIP
115 Spring Valley Road
Chambersburg, PA 17202

ALL THOSE CERTAIN TRACTS of land located in Guilford Township, Franklin County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 4
(Area to be vacated)

Parcel 229/552-Addition (Detail C)

BEGINNING at a point on the southern right-of-way of the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, North 21 degrees 15 minutes 21 seconds East, 16.55 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, South 62 degrees 30 minutes 58 seconds East, 30.24 feet to a point in the same; thence in the same, South 20 degrees 40 minutes 27 seconds West, 14.53 feet to a point in the southern right-of-way of the former Lighthouse Road, T425, and at lands of West Penn Power; thence along lands of West Penn Power, North 66 degrees 21 minutes 13 seconds West, 30.24 feet to a point, the place of beginning.

CONTAINING 468 sq. ft. or 0.01075 acres

The above tract of land shown on the plans titled “RIGHT-OF-WAY ABANDONMENT GUILFORD TOWNSHIP – LIGHTHOUSE ROAD (T-425)”, as area to be vacated and designated and delineated as parts of Lighthouse Road, being portions of real estate, which became legally vested in Guilford Township, County of Franklin, Commonwealth of Pennsylvania having been incorporated in 1751.

5. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described properties be and are hereby vacated in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 5 of this Order and the plans approved in Paragraph No. 1 of this Order shall be recorded in the Recorder of Deeds of Franklin County, and shall be indexed under the name of the record owners of said property, Guilford Township, grantor(s), and WCN Properties LP, grantee, at the sole cost and expense of Guilford Township;

GUILFORD TOWNSHIP
115 Spring Valley Road
Chambersburg, PA 17202

ALL THOSE CERTAIN TRACTS of land located in Guilford Township, Franklin County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 5
(Area to be vacated)

Parcel 3221/221-Addition (Detail D)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, North 20 degrees 49 minutes 18 seconds East, 18.59 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, South 64 degrees 21 minutes 15 seconds East, 52.67 feet to a point; thence along the same, South 63 degrees 15 minutes 39 seconds East, 47.28 feet to a point at the northern right-of-way of the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T425, South 21 degrees 33 minutes 15 seconds West, 21.59 feet to a point in the former Lighthouse Road, T-425 ; thence in the same, North 62 degrees 06 minutes 45 seconds West, 99.99 feet to a point, the place of beginning.

CONTAINING 2,022 sq. ft. or 0.0464 acres

Tract No. 6
(Area to be vacated)

Parcel 2888/237-Addition (Detail E)

BEGINNING at a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, South 62 degrees 06 minutes 45 seconds East, 99.99 feet to a point; thence in the same, South 61 degrees 17 minutes 08 seconds East, 50.39 feet to a point; thence in the same, South 61 degrees 17 minutes 08 seconds East, 49.25 feet to a point; thence in the same, South 20 degrees 22 minutes 13 seconds West, 11.01 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, North 60 degrees 41 minutes 18 seconds West, 47.24 feet to a point; thence along the same, North 62 degrees 12 minutes 11 seconds West, 41.37 feet to a point; thence along the same, North 63 degrees 15 minutes 39 seconds West, 61.16 feet to a point; thence along the same, North 64 degrees 21 minutes 15 seconds West, 49.53 to a point; thence through the former Lighthouse Road, T-425, North 20 degrees 40 minutes 27 seconds East, 14.53 feet to a point, the place of beginning.

CONTAINING 2,342 sq. ft. or 0.0538 acres

Tract No. 7
(Area to be vacated)

Parcel 1457/268-Addition (Detail G)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, North 21 degrees 33 minutes 15 seconds East, 29.16 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, South 62 degrees 36 minutes 17 seconds East, 190.59 feet to a point; thence along the same, on a curve to the right having a radius of 251.00 feet, a length of 82.98 feet, and a chord bearing of South 41 degrees 11 minutes 32 seconds East, 82.60 feet to a point at other lands of WCN Properties LP; thence along the lands of WCN Properties LP and through the former Lighthouse Road, T-425, North 62 degrees 36 minutes 06 seconds West, 80.13 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, on a curve to the right having a radius of 221.00 feet, a length of 75.20 feet, and a chord bearing of South 40 degrees 07 minutes 38 seconds East, 74.84 feet to a point; thence in the same, South 20 degrees 10 minutes 59 seconds East, 297.11 feet to a point in the road; thence through the same and along lands of WCN Properties LP, North 30 degrees 22 minutes 54 seconds East, 39.01 feet to a point at lands of WCN Properties LP; thence along the same,

South 20 degrees 11 minutes 10 seconds East, 24.85 feet to a point; thence along the same, South 19 degrees 30 minutes 24 seconds East, 602.09 feet to a point; thence along the same and through the former Lighthouse Road, T-425, South 26 degrees 21 minutes 32 seconds West, 41.92 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, South 18 degrees 47 minutes 33 seconds East, 241.76 feet to a point; thence in the same, South 19 degrees 08 minutes 00 seconds East, 11.96 feet to a point; thence through the former Lighthouse Road, T425, North 79 degrees 23 minutes 49 seconds West, 34.24 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, North 18 degrees 49 minutes 55 seconds West, 236.66 feet to a point; thence along the same, North 19 degrees 30 minutes 24 seconds West, 644.81 feet to a point; thence along the same, North 20 degrees 12 minutes 14 seconds West, 280.21 feet to a point; thence along the same, on a curve to the left having a radius of 191.00 feet, a length of 59.22 feet, and a chord bearing of North 40 degrees 01 minute 43 seconds West, 58.98 feet to a point; thence along the same, North 62 degrees 36 minutes 17 seconds West, 128.00 feet to a point at other lands of WCN Properties LP; thence along lands of WCN Properties LP and through the former Lighthouse Road, T-425, North 20 degrees 22 minutes 13 seconds East, 29.98 feet to a point in the former Lighthouse Road, T-425; thence in the same, North 61 degrees 17 minutes 08 seconds West, 49.25 feet to a point, the place of beginning.

CONTAINING 66,855 sq. ft. or 1.5348 acres

Tract No. 8
(Area to be vacated)

Parcel 1513/636-Addition (Detail H)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, South 62 degrees 36 minutes 06 seconds East, 49.07 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, on a curve to the right having a radius of 192.09 feet, a length of 47.13 feet, a chord bearing of South 28 degrees 51 minutes 30 seconds East, 47.01 feet to a point; thence along the same, South 21 degrees 28 minutes 48 seconds East, 45.54 feet to a point; thence along the same, South 19 degrees 57 minutes 01 seconds East, 227.09 feet to a point; thence through the former Lighthouse Road, T-425, South 30 degrees 22 minutes 54 seconds West, 19.13 feet to a point in the former Lighthouse Road, T-425; thence in the same, North 20 degrees 10 minutes 59 seconds West,

297.11 feet to a point; thence in the same, on a curve to the left having a radius of 221.00 feet, a length of 75.20 feet, a chord bearing of North 40 degrees 07 minutes 38 seconds West, 74.84 feet to a point, the place of beginning.

CONTAINING 5,214 sq. ft. or 0.1197 acres

Tract No. 9
(Area to be vacated)

Parcel 1747/522-Addition (Detail I)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, North 26 degrees 21 minutes 32 seconds East, 22.83 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, South 19 degrees 37 minutes 07 seconds East, 16.15 feet to a point; thence along the same, South 18 degrees 47 minutes 33 seconds East, 240.35 feet to a point; thence through the former Lighthouse Road, T-425, South 66 degrees 29 minutes 26 seconds West, 16.47 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, North 18 degrees 47 minutes 33 seconds West, 241.76 feet to a point, the place of beginning.

CONTAINING 4,090 sq. ft. or 0.0939 acres

Tract No. 10
(Area to be vacated)

Parcel 1911/542 Tract 2-Addition (Detail J)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, North 66 degrees 29 minutes 26 seconds East, 16.47 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, South 18 degrees 47 minutes 33 seconds East, 11.97 feet to a point; thence through the former Lighthouse Road, T-425, South 66 degrees 29 minutes 26 seconds West, 16.40 feet to a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, North 19 degrees 08 minutes 00 seconds West, 11.96 feet to a point, the place of beginning.

CONTAINING 196 sq. ft. or 0.0045 acres

Tract No. 11
(Area to be vacated)

Parcel 2651-492 Parcel 2-Addition (Detail K)

BEGINNING at a point in the former Lighthouse Road, T-425; thence through the former Lighthouse Road, T-425, North 66 degrees 29 minutes 26 seconds East, 25.00 feet to a point at lands of WCN Properties LP; thence along lands of WCN Properties LP, South 18 degrees 46 minutes 59 seconds East, 276.30 feet to a point; thence along the same, South 18 degrees 20 minutes 57 seconds East, 163.08 feet to a point at the right-of-way of Lighthouse Road, T-425; thence along the right-of-way of Lighthouse Road, T-425, on a curve to the left, having a radius of 235.00 feet, a length of 36.83 feet, a chord bearing of South 25 degrees 18 minutes 44 seconds West, 36.79 feet to a point on the right-of-way of Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, on a curve to the left, having a radius of 349.42 feet, a length of 16.50 feet, a chord bearing of North 16 degrees 57 minutes 39 seconds West, 16.50 feet to a point; thence in the same, North 18 degrees 22 minutes 22 seconds West, 173.37 feet to a point; thence in the same, North 18 degrees 45 minutes 10 seconds West, 273.88 feet to a point, the place of beginning.

CONTAINING 11,271 sq. ft. or 0.2587 acres

Tract No. 12
(Area to be vacated)

Parcel 2651-492 Parcel 3-Addition (Detail L)

ALL the following described real estate, lying and being situate in Guilford Township, Franklin County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the former Lighthouse Road, T-425; thence in the former Lighthouse Road, T-425, South 18 degrees 45 minutes 10 seconds East, 273.88 feet to a point; thence in the same, South 18 degrees 22 minutes 22 seconds East, 173.37 feet to a point; thence in the same, on a curve to the right having a radius of 349.42 feet, a length of 16.50 feet, a chord bearing of South 16 degrees 57 minutes 39 seconds East, 16.50 feet to a point; thence along the right-of-way of Lighthouse Road, T-425, on a curve to the left having a radius of 235.00 feet, a length of 60.29 feet, a chord bearing of South 13 degrees 28 minutes 23 seconds West, 60.13 feet to a point at lands of WCN Properties LP; thence along lands of WCN properties LP, on a curve to the left having a radius of 323.45 feet, a length of 64.13 feet, a chord bearing of North

11 degrees 59 minutes 59 seconds West, 64.03 feet to a point; thence along the same, North 18 degrees 20 minutes 31 seconds West, 177.15 feet to a point; thence along the same, North 18 degrees 46 minutes 59 seconds West, 287.99 feet to a point; thence through the former Lighthouse Road, T-425, South 79 degrees 23 minutes 49 seconds East, 28.79 feet to a point, the place of beginning.


CONTAINING 12,294 sq. ft. or 0.2822 acres

The above eight (8) tracts of land shown on the plans titled “RIGHT-OF-WAY ABANDONMENT GUILFORD TOWNSHIP – LIGHTHOUSE ROAD (T-425)”, as area to be vacated and designated and delineated as parts of Lighthouse Road, being portions of real estate, which became legally vested in Guilford Township, County of Franklin, Commonwealth of Pennsylvania having been incorporated as 1751.

6. That in all respects not inconsistent herewith, our Order entered March 10, 2022, shall remain in full force and effect.

7. That upon proper notice to this Commission of the recording of all the herein described property transfers, the Crossing (DOT 535 148 L) be abolished, and the case be marked "Closed".

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Rosemary Chiavetta".

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: August 4, 2022

ORDER ENTERED: August 4, 2022