



Before the  
Pennsylvania Public Utility Commission

**Application To Exercise The  
Power Of Eminent Domain To Acquire A  
Right-of-Way And Easement Over  
A Certain Portion Of Lands Of  
  
Blueberry Mountain Realty, LLC**

**TESTIMONY AND EXHIBITS**

Application Docket No. \_\_\_\_\_

Submitted by: PPL Electric Utilities Corp.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application Of PPL Electric Utilities :  
Corporation Under 15 Pa.C.S. §1511(c) For A :  
Finding And Determination That The Service :  
To Be Furnished By The Applicant Through : Docket No. A-2013-\_\_\_\_\_  
Its Proposed Exercise Of The Power Of :  
Eminent Domain To Acquire Right-of-Way :  
And Easement Over A Certain Portion Of The :  
Lands Of Blueberry Mountain Realty, LLC In :  
Tobyhanna Township, Monroe County, :  
Pennsylvania For Siting And Construction Of :  
Transmission Lines Associated With The :  
Proposed Northeast-Reliability Project Is :  
Necessary Or Proper For The Service, :  
Accommodation, Convenience Or Safety Of :  
The Public

**PPL ELECTRIC UTILITIES CORPORATION**

**STATEMENT NO. BLUEBERRY-1**

**TESTIMONY OF COLLEEN KESTER**

1 Q. Please state your name and business address.

2 A. My name is Colleen Kester. My business address is 2 North Ninth Street, GENN5,  
3 Allentown, PA 18101

4

5 Q. By whom are you employed and in what capacity?

6 A. I am employed by PPL Electric Utilities Corporation (“PPL Electric”). My position with  
7 PPL Electric Utilities Corporation is Manager Land / Land Rights Acquisition. In that  
8 position, I am responsible for managing all Transmission Right of Way Assets for PPL  
9 Electrical Utilities Corporation.

10

11 Q. What is your educational background?

12 A. In 2011 I received a Masters in Business Administration from Kutztown University and  
13 in 1996, I received a Bachelor of Science in Real Estate from Penn State University.

14

15 Q. Are you a member of any professional organizations?

16 A. Yes. I am currently a member of the International Right of Way Association (“IRWA”)  
17 where I hold the SR/WA and RW-NAC Designations. The SR/WA designation stands  
18 for Senior Member, International Right of Way Association. It is the highest professional  
19 designation granted by the IRWA to members who have achieved professional status  
20 through experience, education and examination. The SR/WA designation requires  
21 training and examination in several major right of way disciplines. The SR/WA  
22 designation indicates that the member has more than five years of right of way experience

1 plus formal training in a wide variety of right of way areas and that the individual has  
2 successfully completed the required examination.

3  
4 The R/W-NAC designation means that I have completed the International Right of Way  
5 Association Right of Way Negotiation & Acquisition Certification Program. The  
6 Certification indicates that the individual is a IRWA member in good standing involved  
7 in one of six right of way professional disciplines who has a minimum of two years of  
8 relevant right of way professional experience within the last 5 years and has met the  
9 coursework and examination requirements. The coursework requirements consists of  
10 both core courses and elective courses. The certification requires satisfactory completion  
11 of the certification test administered by the IRWA.

12  
13 Q. Please describe your background and employment history.

14 A. I have been employed by the PPL Electric Utilities in my current position for 8 months.

- 15 • From 2008 until I began my employment with PPL Electric, I was employed by  
16 Buckeye Partners, L.P., in Breinigsville, Pennsylvania, first as Manager, Right of  
17 Way, Permits and One Call and then in 2011 as Senior Manager, Right of Way,  
18 Permits and One Call. In this position, I managed a staff of 13 responsible for system  
19 wide right of way activities, vegetation maintenance, aerial patrol,  
20 engineering/encroachment review and the One Call Department for 25 states, Puerto  
21 Rico and the Bahamas. The system included 10,000 miles of pipeline, more than 100  
22 refined petroleum products terminals and a natural gas storage facility. In addition,  
23 we performed acquisition due diligence examinations for 1,000 miles of pipelines and

1 three terminals from ConocoPhillips in 2009, a petroleum products terminal in Puerto  
2 Rico from Shell, 650 miles of pipeline and 33 terminals from BP North America in  
3 2011 and approximately 200 miles of pipelines and two terminals from ExxonMobile  
4 in 2011.

5 • From 2005 through part of 2008, I was employed by Buckeye Partners, L.P., as a  
6 right-of-way agent. There, I managed corporate right of way responsibilities  
7 including right of way acquisitions, leasing, permitting, acquisitions and dispositions  
8 of contaminated residential properties in a five state area.

9 • From 2000 to 2005, I was a right of way specialist for Sunoco Logistics, L.P. in  
10 Philadelphia and Sinking Springs, Pennsylvania. There, among other things, I  
11 negotiated valve sites, easements, license, leases and secured permits for various  
12 projects.

13 • From 1999 to 2000, I was a real estate appraiser for the Chester County Assessment  
14 Office in West Chester, Pennsylvania.

15 • From 1998 to 1999, I worked as a fixed annuities specialist and senior customer  
16 account representative for Firsttrust Bank in Exton Pennsylvania.

17 • From 1992 to 1998, I worked as an assistant appraiser and property manager for  
18 Commonwealth Appraisal Service in Scranton, Pennsylvania.

19  
20 Q. What are your responsibilities in connection with the Northeast-Pocono Reliability  
21 Project?

22 A. It is my department's responsibility to identify all property owners along the Preferred  
23 Routes for the Northeast-Pocono Reliability Project. We review and determine adequacy

1 of easement rights in areas we plan to use existing rights-of-way, and identify any area  
2 where we will require new or enhanced rights for the Preferred Routes. For the area  
3 where we may need new or enhanced rights-of-way, we attempt to negotiate with these  
4 property owners for the appropriate land rights needed. We also deliver to all property  
5 owners of land in the Preferred Route, literature including but not limited to an EMF  
6 brochure, compatible right-of-way uses, existing right-of-way documentation, pictures of  
7 typical transmission line structures, and other information to help them fully understand  
8 the project. The Right-of-Way Agent will meet with property owners as necessary to  
9 answer questions, address concerns, and/or to resolve issues. The Right-of-Way Agent  
10 provides the property owner with information on how he/she can be contacted at any  
11 time, to answer questions or to address issues or concerns, should any arise. The Right-  
12 of-Way Agent is a direct link for the property owner to communicate with PPL Electric  
13 Utilities Corporation (“PPL Electric”).

14  
15 Q. What are the subjects of your testimony?

16 A. I will describe the property of Blueberry Mountain Realty, LLC in Tobyhanna Township,  
17 Monroe County, Pennsylvania, and describe PPL Electric’s proposed right-of-way  
18 easement over said property.

19  
20 Q. Please summarize the Northeast-Pocono Reliability Project.

21 A. The proposed Northeast-Pocono Reliability Project is contained in the “Application of  
22 PPL Electric Utilities Corporation filed Pursuant to 52 Pa. Code Chapter 57, Subchapter  
23 G, for Approval of the Siting and Construction of Transmission Lines Associated with

1 the Proposed West Pocono 230-69 kV Substation in Buck Township, Luzerne County  
2 and the Proposed North Pocono 230-69 kV Substation in Covington Township,  
3 Lackawanna County” (“Siting Application”), which was filed with the Pennsylvania  
4 Public Utility Commission on December 28, 2012, at Docket No. A-2012-2340872.  
5 With the Siting Application, PPL Electric filed Attachments 1-16 and PPL Electric  
6 Statement Nos. 1-6, which provide additional detailed information regarding the  
7 Northeast-Pocono Reliability Project. Complete copies of the Siting Application and  
8 supporting Attachments were served on Blueberry Mountain Realty, LLC  
9

10 As explained in Attachment 2 to the Siting Application and PPL Electric Statement No.  
11 2, the direct Testimony of Ms. Krizenoskas, to resolve reliability and planning violations  
12 and to ensure reliable long-term service to customers in the Northeast Pocono region,  
13 PPL Electric proposes to site and construct transmission line connections associated with  
14 two new 230-69 kV transmission substations, the West Pocono 230-69 kV Substation and  
15 North Pocono 230-69 kV Substation. The new Substations will be connected to the  
16 existing 230 kV transmission systems by building an approximately 58-mile new 230 kV  
17 transmission line. The new Substations will be connected to the existing 138/69 kV  
18 transmission system by building approximately 11.3 miles of new 138/69 kV  
19 transmission lines. PPL Electric’s line siting process and the selection of the routes for  
20 the transmission lines associated with the Northeast-Pocono Reliability Project are  
21 explained in Attachment 4 to the Siting Application and PPL Electric Statement No. 4,  
22 the direct testimony of Mr. Baker.  
23

1 Q. Does a portion of the proposed routes for the Northeast-Pocono Reliability Project cross  
2 the property of Blueberry Mountain Realty, LLC which is the subject of this proceeding?

3 A. Yes. The route does cross the property of Blueberry Mountain Realty, LLC, as described  
4 more fully below. PPL Electric has attempted to purchase a right-of-way and easement  
5 over this tract of land for the Northeast-Pocono Reliability Project, but, to date, has been  
6 unable to reach any agreement with the property owners.

7

8 Q. Have you and/or the Right-of-Way Agents working directly under your supervision been  
9 to the property of Blueberry Mountain Realty, LLC that is the subject of this proceeding?

10 A. Yes, a Right-of-Way Agent working directly under my supervision has visited the  
11 property.

12

13 Q. Please describe the property.

14 A. This property is zoned Open Space and is approximately 334 acres. The property is  
15 vacant and wooded with no dwellings or other buildings.

16

17 Q. Does PPL Electric's proposed right-of-way and easement over the property of Blueberry  
18 Mountain Realty, LLC, contain any burial grounds or places of worship?

19 A. No, it does not.

20

21

1 Q. Please explain PPL Electric Exhibit No. CK-Blueberry-1.

2 A. PPL Electric Exhibit No. CK-Blueberry-1 is a copy of the Map of PPL Electric's Bulk  
3 Power Transmission System, which shows the proposed Northeast-Pocono Reliability  
4 Project.

5  
6 Q. Please explain PPL Electric Exhibit No. CK-Blueberry-2.

7 A. PPL Electric Exhibit No. CK-Blueberry-2 is a copy of the metes-and-bounds description  
8 of the property of Blueberry Mountain Realty, LLC.

9  
10 Q. Please explain PPL Electric Exhibit No. CK-Blueberry-3.

11 A. PPL Electric Exhibit No. CK-Blueberry-3 is a copy of the metes-and-bounds description  
12 of the portion of the property of Blueberry Mountain Realty, LLC over which PPL  
13 Electric seeks a right-of-way and easement.

14  
15 Q. Please explain PPL Electric Exhibit No. CK-Blueberry-4.

16 A. PPL Electric Exhibit No. CK-Blueberry-4 is a copy of the Plan showing the property of  
17 Blueberry Mountain Realty, LLC and the portion of the property over which PPL Electric  
18 proposes to acquire a right-of-way and easement.

19  
20 Q. Please explain PPL Electric Exhibit No. CK-Blueberry-5.

21 A. PPL Electric Exhibit No. CK-Blueberry-5 is a copy of the resolutions of the Board of  
22 Directors of PPL Electric authorizing the acquisition of a right-of-way and easement over

1 the portion of the land of Blueberry Mountain Realty, LLC described in PPL Electric  
2 Exhibit No. CK-Blueberry-3. Those resolutions remain in effect.

3

4 Q. In your opinion, is the service to be furnished through the condemnation of this property  
5 necessary?

6 A. Yes. The service to be provided by PPL Electric through the proposed transmission lines  
7 and related facilities is necessary or proper for the service, accommodation, convenience  
8 or safety of the public for the reasons set forth in my testimony, in this Condemnation  
9 Application, and in the Siting Application and supporting Attachments and testimony.

10

11 Q. Does this conclude your testimony at this time?

12 A. Yes, it does.

13

**CK-Blueberry-1**





File No. 29393

Tax Code No. 19/19/1/5-2 & 19/111572

**This Indenture**, made the 31st day of July, 2006,

Between

**GRACE HYDRUSKO, SINGLE**

(hereinafter called the Grantor), of the one part, and

**BLUEBERRY MOUNTAIN REALTY, LLC**

(hereinafter called the Grantee), of the other part,

**Witnesseth**, that the said Grantor for and in consideration of the sum of **Two Million Five Hundred Thousand And 00/100 Dollars (\$2,500,000.00)** lawful money of the United States of America, unto her well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee

**PARCEL I**

**ALL THAT CERTAIN** tract or piece of land situate in the Township of Tobyhanna, County of Monroe, and State of Pennsylvania., bounded and described as follows, to wit:

**BEGINNING** at a stone corner by a large rock; thence by land of the Estate of Thomas Winter, South twenty-three and one-half degrees East forty-five and three-tenths perches to a stone; thence by other lands now or formerly of Nelson Hayes, North fifty degrees East sixty perches to a stone corner; thence by lands of Keck, Child and Company, North forty-five degrees West forty-three and two-tenths perches to a stone; thence, South fifty degrees East forty-three and four-tenths perches to the place of **BEGINNING**.

**CONTAINING** thirteen acres and one hundred and fifty perches; subject to a right of way granted to the Penna. Power and Light Co.

**PARCEL II**

**ALL THOSE TWO CERTAIN** lots, tracts or pieces of land situate in the Township of Tobyhanna, County of Monroe and State of Pennsylvania, bounded and described as follows, to wit:

**NO. 1: BEGINNING** at a stone corner on the South line of the tract of land surveyed in the warrantee name of Elizabeth Hartung, thence North Fifty Degrees East (N. 50 degrees E.) Sixteen hundred Twenty Six and Nine Tenths (1,626.9') feet to a corner; thence along lands now or late of Nelson Hayes South Twenty Three and one half Degrees East (S. 23 ½ degrees E.) Nineteen Hundred Thirty and Five Tenths (1,930.5') feet to a corner; thence South Fifty Degrees West (S. 50 degrees W.) Eight Hundred Ninety Nine

and Twenty Five Hundredths (899.25') feet to a stone corner on the South line of the tract surveyed in the warrantee name of Elizabeth Hartung; thence along said line North Forty Five Degrees West (N. 45 degrees W.) Eighteen Hundred Sixty Four and five tenth (1,864.5') feet to the place of **BEGINNING**.

**CONTAINING** 54 Acres, more or less.

**NO. 2: BEGINNING** at a stone corner referred to as "stake and stones on an old Hemlock Stump" as stated in tract No. 5 of Deed bearing the dated of January 1, 1960, and recorded in Deed Book Volume 264, Page 131 and also on Map entitled "Draft of Lands Belonging to Willard Winters", intended to be recorded at Stroudsburg; thence along an old warrantee line, said line being also a line of other lands intended to be conveyed unto Carvel Sparks by J. Aubrey Price (MM1961), South thirty-six degrees eighteen minutes East sixty-four and twenty seven hundredths feet to a point; thence through other lands of J. Aubrey Price, of which this lot was formerly a part, South seventy-four degrees three minutes West three hundred thirty-one and twenty-two hundredths feet to a point; thence by the same South forty-nine degrees seventeen minutes West one hundred thirty and thirteen hundredths feet to a point; thence by the same South sixty-six degrees thirty minutes West one hundred forty-six and thirty-three hundredths feet to a point near the middle of the Wilkes-Barre and Easton Turnpike; thence in and along the middle of the Wilkes-Barre and Easton Turnpike North twenty three degrees thirty minutes West sixty and no hundredths feet to a point; thence along said other lands of J. Aubrey Price, of which this lot was formerly a part, North sixty-six degrees thirty minutes East one hundred thirty-seven and twenty-five hundredths feet to a point; thence by the same North forty-nine degrees seventeen minutes East one hundred thirty-four and twenty-three hundredths feet to a point; thence by the same North seventy-four degrees three minutes East three hundred twenty-one and thirty-eight hundredths feet to the place of **BEGINNING**. **CONTAINING** 0.821 acres, more or less.

Reserving, however, to the Grantors for their life only, or until Grantors convey title to lands adjoining the above described tract, whichever event shall first occur, the free and common use, right, liberty and privilege of, over, and across the above described tract, hereby conveyed and granted, together with the free ingress, egress and regress to and for the said Grantors as a roadway to and from adjoining lands of the Grantors to the highway.

**BEING THE SAME** premises which Meenaga Lake, Inc., a Pennsylvania Corporation by its deed dated November 24, 1987 and recorded November 25, 1987, in the Office of the Recorder of Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Record Book Volume 1591, Page 1554, granted and conveyed unto Grace Hydrusko, in fee.

### **PARCEL III**

**ALL THAT CERTAIN** piece, parcel or lot of land situate in the Township of Tobyhanna, County of Monroe and Commonwealth of Pennsylvania, being Lot No. 4 on the plot or plan titled "Grace Hydrusko-Preliminary/Final Subdivision Plan" recorded in

Map Book Vol. 65, Page 12, in the Office of the Recorder of Deeds, in and for Monroe County, Pennsylvania, and being bounded and described as follows, to wit:

**BEGINNING** at an iron pin on the Easterly right-of-way line of Township Road T-629, leading to and from State Highway Route 115, said iron pin being a corner common to Lots Nos. 2 and 4;

THENCE along a line common to Lots Nos. 2 and 4 North eighty-three degrees fifty-seven minutes East (N83 degrees 57' E) four hundred eighty-nine and ninety hundredths (489.90) feet to an iron pin being a corner common to Lots Nos. 2 and 4;

THENCE along a line common to Lots Nos. 2 and 4 and along a line common to Lots Nos. 1 and 4 North nineteen degrees eight minutes West (N19 degrees 08' W) one thousand seventeen and seventy-four hundredths (1017.74) feet to an iron pin being a corner common to Lots Nos. 1 and 4 and being on a Southerly line of land now or formerly of Blue Hills Resort, Inc. as described by Deed recorded in Deed Book 1654 at page 55 in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along a Southerly line of said land now or formerly of Blue Hills Resort, Inc. North forty-eight degrees thirty-five minutes East (N48 degrees 35'E) one thousand four hundred forty-two and twenty-six hundredths (1442.26) feet to a nail in stones corner;

THENCE along an Easterly line of said land now or formerly of Blue Hills Resort, Inc. North forty-one degrees thirty minutes West (N41 degrees 30' W) one thousand sixty and eighty hundredths (1060.80) feet to an iron pin being the Southwesterly corner of land now or formerly of Robert C. Selig, Jr., as described by Deed recorded in Deed Book 1587, at Page 1735, in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along the Southerly line of said land now or formerly of Selig North fifty-two degrees thirty-one minutes East (N52 degrees 31'E) two thousand six hundred forty-one and thirty hundredths (2641.30) feet to a hub and tack in stones corner being the Northwesterly corner of land now or formerly of Helen Yamulla, Trustee (Parcel No. 10) as described by Deed recorded in Deed Book 453, at Page 109, in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along a Westerly line of said land now or formerly of Yamulla South thirty-six degrees twenty-eight minutes East (S36 degrees 28' E) five thousand two hundred ninety-seven and sixty-four hundredths (5297.64) feet to an iron pin being a corner common to said land now or formerly of Helen Yamulla, Trustee, and land now or formerly of Northeast Land Company;

THENCE along the Northerly line of said land now or formerly of Northeast Land Company the following three (3) courses and distances: (1) South fifty-three degrees thirty-four minutes West (S53 degrees 34'W) eight hundred fifty-six and thirty-five hundredths (856.35) feet to an iron pin, (2) South fifty-three degrees twenty-nine minutes West (S53 degrees 29'W) two hundred eighty-five and forty hundredths (285.40) feet to an iron pin, and (3) South fifty-three degrees thirty-four minutes West (S53 degrees

34'W) two hundred eighty-five and forty-five hundredths (285.45) feet to an iron pin on the Northerly side of a forty (40.00) foot wide right-of-way leading to Township Road T-551;

THENCE along said Northerly side of the same the following four (4) courses and distances: (1) South sixty-nine degrees thirty minutes West (S69 degrees 30'W) two hundred twenty-nine and eighty hundredths (229.80) feet to an iron pin, (2) South sixty-eight degrees fifty-eight minutes West (S 68 degrees 58'W) two hundred thirty two and seventeen hundredths (232.17) feet to an iron pin, (3) South seventy degrees nine minutes West (S70 degrees 09'W) two hundred three and seventy hundredths (203.70) feet to an iron pin, and (4) South seventy degrees twenty-nine minutes West (S70 degrees 29'W) one hundred eleven and twenty-one hundredths (111.21) feet to an iron pin being on an Easterly line of land now or formerly of Blakeslee Sporting Club as described by Deed recorded in Deed Book 237, at Page 619, in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along said Easterly line of the same North thirty-six degrees fifty-seven minutes West (N36 degrees 57'W) seven hundred eighty-five and nine hundredths (785.09) feet to an iron pipe being a corner common to said land now or formerly of Blakeslee Sporting Club and land now or formerly of Hosik Min as described by Deed recorded in Deed Book 1589, at Page 416, in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along the Easterly line of said land now or formerly of Hosik Min North thirty-seven degrees twenty-eight minutes West (N37 degrees 28'W) one thousand forty-seven and sixty-two hundredths (1047.62) feet to an iron pipe being a corner common to said land now or formerly of Hosik Min and land now or formerly of Grace Hydrusko (Parcel I) as described by Deed recorded in Deed Book 1591, at Page 1554, in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along the Easterly line of said land now or formerly of Grace Hydrusko (Parcel I) North thirty-seven degrees thirty-three minutes West (N37 degrees 33'W) seven hundred twelve and fifty-two hundredths (712.52) feet to a stones corner being the Northeasterly corner of said land of the same;

THENCE along the Northerly line of said land now or formerly of Grace Hydrusko (Parcel I) and along the Northerly line of land now or formerly of Grace Hydrusko (Parcel II - No. 1) South fifty-seven degrees forty-nine minutes West (S57 degrees 49'W) two thousand three hundred twenty-five and twenty-nine hundredths (2325.29) feet to an iron pin in stones corner being on the Easterly line of land now or formerly of Joseph Aronow as described by Deed recorded in Deed Book 960, at Page 147, in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania;

THENCE along the Easterly line of said land now or formerly of Joseph Aronow North thirty-eight degrees six minutes West (N38 degrees 06'W) one hundred ninety-two and ninety-four hundredths (192.94) feet to an iron pipe;

THENCE along the Northerly line of said land of the same the following three (3) courses and distances: (1) South eighty-three degrees fifty-six minutes West (S83 degrees 56'W) one hundred sixty-eight and twenty-six hundredths (168.26) feet to an iron pin, (2) South seventy-five degrees twenty-eight minutes West (S75 degrees 28'W) fifty-seven and eighty-one hundredths (57.81) feet to an iron pipe, and (3) South thirty-nine degrees five minutes West (S39 degrees 05'W) seventy-five and thirty-three hundredths (75.33) feet to an iron pin on the aforesaid Easterly right-of-way line of Township Road T-629;

THENCE along said Easterly right-of-way line of the same by a curve to the left having a radius of nine hundred and zero hundredths (900.00) feet, an arc distance of one hundred sixty-two and eighty-two hundredths (162.82) feet, a chord bearing of North zero degrees eight minutes East (N00 degrees 08'E) and a chord distance of one hundred sixty-two and sixty hundredths (162.60) feet to an iron pin, the place of BEGINNING.

**CONTAINING** three hundred thirty-four and twenty-seven hundredths (334.27) acres.

**UNDER AND SUBJECT** to all exceptions, restrictions, reservations, easements, rights-of-way, conditions, agreements, rights, covenants, privileges and licenses as granted or conveyed to others by the party of the first part or its predecessors in title by indentures or agreements in writing or otherwise, whether visible or not, and whether recorded or not, including, but not limited to, the following:

1. Agreement dated December 17, 1970 granted to Pennsylvania Power & Light Company, an easement for electric transmission line.
2. Agreement dated September 25, 1981, granted to Pennsylvania Power & Light Company, an easement for electric transmission line.
3. Agreement dated September 24, 1958 and Supplemental Agreements dated May 10, 1967 and June 7, 1989, granted to Transcontinental Gas Pipeline Corporation, a right-of-way and easement for gas pipelines.
4. Conservation Easement Agreement dated December 23, 1991, between Grace Hydrusko, Grantor, and The Nature Conservancy, Grantee, and recorded in Record Book Volume 1808, Page 364, in the Monroe County Recorder of Deeds Office at Stroudsburg, Pennsylvania.

**BEING THE SAME** premises conveyed to Grace Hydrusko by Blue Ridge Real Estate Company, by deed dated December 23, 1991, and recorded in Deed Book Volume 1808, Page 358, in the Monroe County Recorder of Deeds Office, at Stroudsburg, Pennsylvania.

**ALSO BEING THE SAME** premises which Blue Ridge Real Estate Company, a Pennsylvania Corporation, by Corrective deed dated April 22, 1993, and recorded June 1, 1993, in the aforesaid Recorder's Office in Record Book Volume 1889, Page 1145, granted and conveyed unto Grace Hydrusko, in fee.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of her, the said grantor, as well at law as in equity, of, in and to the same.

To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

And the said Grantor, for herself and her heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that she, the said Grantor, and her heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against her, the said Grantor, and her heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party of the first part has hereunto set her hand and seal. Dated the day and year first above written.

Sealed and Delivered  
IN THE PRESENCE OF US:

\_\_\_\_\_  
*Grace Hydrusko* (SEAL)  
Grace Hydrusko

Commonwealth of Pennsylvania } ss  
County of Monroe

On this the 31st day of July, 2006, before me, the undersigned Notary Public, personally appeared Grace Hydrusko, Single, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

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

Georgann Bartron  
Notary Public  
My commission expires 8/12/06

NOTARIAL SEAL  
Georglann Bartron, Notary Public  
Stroudsburg Boro, Monroe County, PA  
My Commission Expires Aug. 12, 2006

The precise residence and the complete post office address of the above-named Grantee is:

57 Seaview Blvd.  
Port Washington, NY. 11050

Janet Williams  
for behalf of the Grantee

**DEED**

**FROM:**

**Grace Hydrusko**

**TO:**

**Blueberry Mountain Realty, LLC**

∞

**Please return the recorded  
document to:**

**Consumers Land Abstract, Inc.  
624 Sarah Street  
Stroudsburg, PA 18360  
Telephone: 570-421-1713  
Fax: 570-424-8468**

**FILE NO. 29393**



## COUNTY OF MONROE

RECORDER OF DEEDS  
7th & MONROE STREETS  
STROUDSBURG, PA 18360  
Area Code (570) 517-3969

Helen Diecidue - Recorder  
Mary Ann Lesh - Chief Deputy  
Jamie Butz - Deputy

Instrument Number - 200632673  
Recorded On 8/1/2006 At 11:34:20 AM

Book - 2276 Starting Page - 331  
\* Total Pages - 9

\* Instrument Type - DEED  
Invoice Number - 443785  
\* Grantor - HYDRUSKO, GRACE  
\* Grantee - BLUEBERRY MOUNTAIN REALTY LLC  
User - JLB  
\* Customer - CONSUMER LAND ABSTRACT

\* FEES

STATE TRANSFER TAX	\$25,000.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES	\$22.50
AFFORDABLE HOUSING	\$13.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
POCONO MOUNTAIN	\$12,500.00
SCHOOL REALTY TAX	
TOBYHANNA TOWNSHIP	\$12,500.00
TOTAL	\$50,051.00

RETURN DOCUMENT TO:  
CONSUMER LAND ABSTRACT

TAX ID #  
19/111572  
19/19/1/5-2  
Total Tax IDs: 2



I Heroby CERTIFY that this document is recorded in the  
Recorder's Office of Monroe County, Pennsylvania

*Helen Diecidue*

THIS IS A CERTIFICATION PAGE

**Do Not Detach**

THIS PAGE IS NOW THE LAST PAGE  
OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during  
the verification process and may not be reflected on this page.

Book: 2276 Page: 339





CK-Blueberry-3

**RIGHT-OF-WAY TO BE CONDEMNED  
OVER PROPERTY OF  
BLUEBERRY MOUNTAIN REALTY, LLC**

**Beginning** at a point, said point being located in the easterly division line of lands now or formerly of Blue Hills Resort, Inc. (DB 1654, PG. 55) and lands of Blueberry Mountain Realty, LLC (DB 2276 PG 331).

**Thence** along said division line, North thirty-six degrees fifty-five minutes fifty-nine seconds East (N 36°55'59" E) two hundred forty-one and thirty-two one-hundredths feet (241.32') more or less to a point.

**Thence** through lands of said Blueberry Mountain Realty, LLC, running parallel to and at a distance of fifty feet (50') perpendicular from the centerline of the proposed electric line the following four (4) courses and distances. **1.** North fifty-two degrees four minutes thirteen seconds East (N 52°04'13" E) twelve and fifteen one-hundredths feet (12.15') more or less to a point. **2.** North forty-four degrees twenty-three minutes thirty-four seconds East (N 44°23'34" E) two thousand seventy-nine and twenty-six one-hundredths feet (2,079.26') more or less to a point. **3.** North six degrees twenty minutes two seconds West (N 06°20'02" W) seven hundred two and twenty-four one-hundredths feet (702.24) more or less to a point. **4.** North fifty-four degrees forty-eight minutes fifteen seconds West (N 54°48'15" W) seven hundred thirty-one and nine one-hundredths feet (731.09') more or less to a point in the westerly division line of lands of said Blueberry Mountain Realty, LLC and lands now or formerly of Pennsylvania Glacial Till, LLC (DB 2276, PG 4657).

**Thence** along said division line, North forty degrees fifty-six minutes twenty-nine seconds East (N 40°56'29" E) one hundred fifty and seventy-six one-hundredths feet (150.76') more or less to a point.

**Thence** through lands of said Blueberry Mountain Realty Inc., running parallel to and at a distance of fifty feet (50') perpendicular from the northerly centerline of the two proposed electric lines. South fifty-four degrees forty-eight minutes fifteen seconds East (S 54°48'15" E) six hundred forty-nine and ninety-four one-hundredths feet (649.94') more or less to a point in the westerly right-of-way line of PPL Electric Utilities.

**Thence** through same and along said westerly right-of-way line the following two (2) courses and distances. **1.** South six degrees twenty minutes two seconds East (S 06°20'02" E) eight hundred eighty-two and three one-hundredths feet (882.03') more or less to a point. **2.** South forty-four degrees twenty-three minutes thirty-four seconds West (S 44°23'34"

W) two thousand three hundred thirty-one and ninety-two one-hundredths feet (2,331.92') more or less to a point in the northerly right-of-way of PPL Electric Utilities.

**Thence** along said northerly right-of-way line, South eighty-six degrees thirty-seven minutes eight seconds West (S 86°37'08" W) thirty and nineteen one-hundredths feet (30.19') more or less to a point. **The Point of Beginning.**

Said Easement containing five and eighty-nine one-hundredths Acres (5.89+/- Acs.) more or less as shown on PPL drawing No. EU00500197 prepared by PPL Electric Utilities entitled "PLAN SHOWING ELECTRIC LINE RIGHT-OF-WAY TO BE CONDEMNED OVER PROPERTY OF BLUEBERRY MOUNTAIN REALTY, LLC".

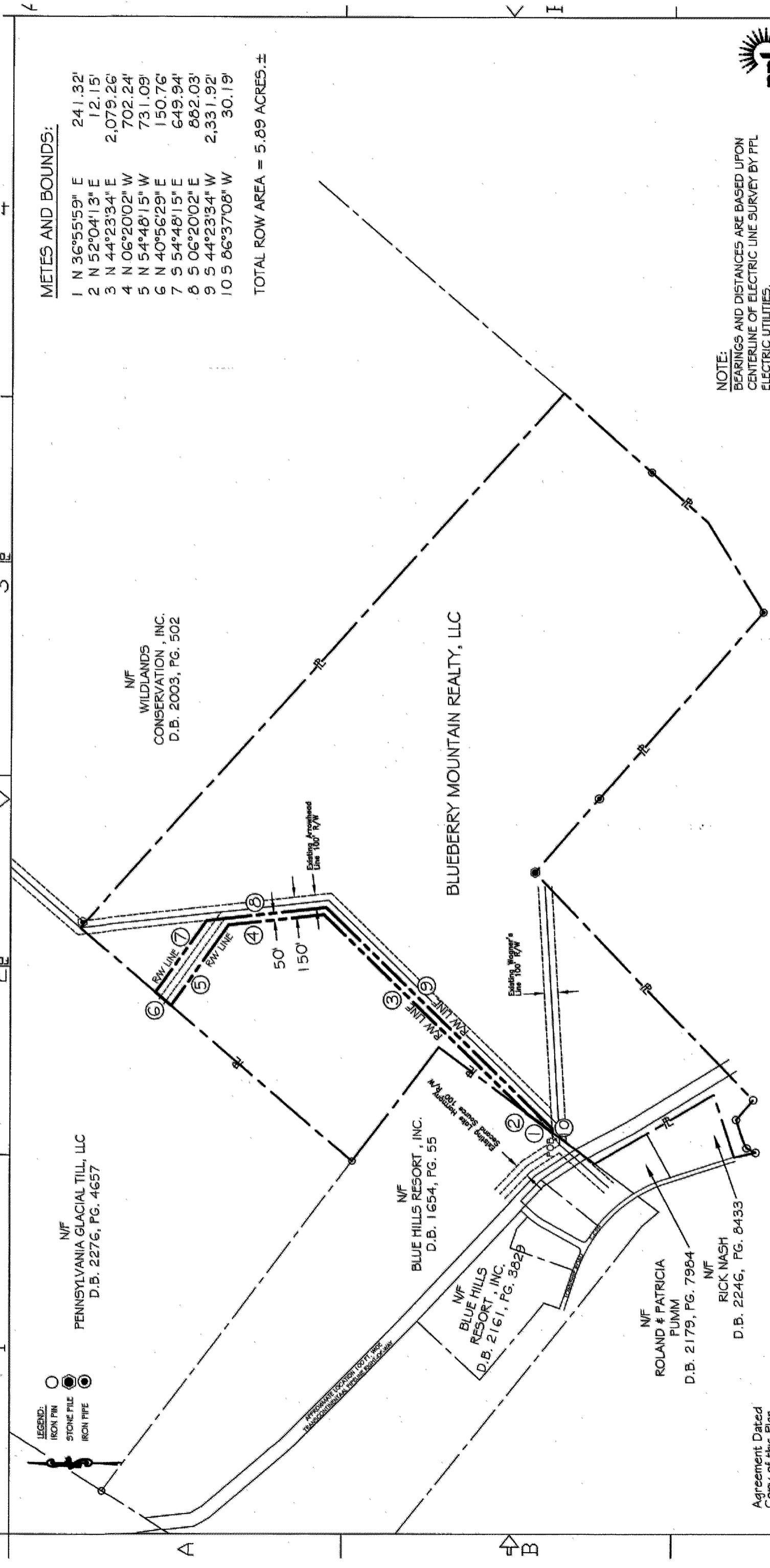
**Bearings** and distances described are based upon the centerline of the proposed electric line as surveyed by PPL Electric Utilities.



**METES AND BOUNDS:**

1	N 36°55'59" E	241.32'
2	N 52°04'13" E	12.15'
3	N 44°23'34" E	2,079.26'
4	N 06°20'02" W	702.24'
5	N 54°48'15" W	731.09'
6	N 40°56'29" E	150.76'
7	S 54°48'15" E	649.94'
8	S 06°20'02" E	882.03'
9	S 44°23'34" W	2,331.92'
10	S 86°37'08" W	30.19'

TOTAL ROW AREA = 5.89 ACRES.±



**NOTE:**  
BEARINGS AND DISTANCES ARE BASED UPON  
CENTERLINE OF ELECTRIC LINE SURVEY BY PPL  
ELECTRIC UTILITIES.



**PPL ELECTRIC UTILITIES**  
EAST PALMERTON-ACAHELA 1 & 2 # ACAHELA-JACKSON 1 & 2  
PLAN SHOWING ELECTRIC LINE RIGHT OF WAY TO BE CONDEMNED  
OVER PROPERTY OF BLUEBERRY MOUNTAIN REALTY, LLC  
DEED BOOK-2276, PAGE 33 I

TOBYHANNA TWP. MONROE CO., PA.

APPROVED *Brynnle Patton* 1/11/2013  
DATE

PPL ELECTRIC UTILITIES  
SHEET NO. REV. 1 0

ACCT-	10015362
SCALE-	NONE
BY-	RRC
REVIEWED	
APPROVED	

AC PPL DRAWING NO. **EU00500197**

CAD ID **C**

SURTS

**NOTE:** FOR EXACT LOCATION OF RAW AND/OR FACILITIES WITHIN THE RAW  
CONTACT THE LOCAL PPL ELECTRIC UTILITIES CORPORATION OFFICE.

Agreement Dated \_\_\_\_\_  
Copy of this Plan Received By \_\_\_\_\_  
Date \_\_\_\_\_

NO.	DATE	ACCT.	REVISION	BY	REVIEWED	APPROVED

09642 09643 00050 00051  
LOCATION CODES

PLAN & PROFILE FACILITY MAP



I, ELIZABETH STEVENS DUANE, the duly elected and acting Secretary of PPL Electric Utilities Corporation, do hereby CERTIFY that the following is a true and correct copy of certain resolutions duly adopted by the Board of Directors of the Company by a Unanimous Written Consent, dated January 15, 2013, and that said resolutions have not been altered, amended or repealed and are in full force and effect:

WHEREAS, the Board of Directors of this Company previously approved the condemnation against 32 property owners along the 58 miles of new 230 kV transmission line associated with the proposed West Pocono 230-69 kV Substation in Buck Township, Luzerne County and the proposed North Pocono 230-69 kV Substation in Covington Township, Lackawanna County as set forth in a Unanimous Written Consent dated December 14, 2012 ("First Condemnation Approval"); and

\* \* \* \* \*

WHEREAS, Blueberry Mountain Realty, LLC is the owner of property in Tobyhanna Township, Monroe County, as more particularly described in Exhibit MM and identified as Parcel WP6; and

\* \* \* \* \*

WHEREAS, the construction by the Company of 58 miles of new 230 kV transmission line associated with the proposed West Pocono 230-69 kV Substation in Buck Township, Luzerne County and the proposed North Pocono 230-69 kV Substation in Covington Township, Lackawanna County and approximately 6.0 miles of new 138-69 kV transmission lines to connect existing local lines into the new West Pocono 230-69 kV Substation in Tobyhanna Township, Monroe County, ("Northeast Pocono Reliability Project") on, over, across or under the lands described in the first Condemnation Approval and in Exhibit . . . MM . . . (the "Lands"), is necessary for the supply of light, heat and power to the public; and

WHEREAS, the Company has endeavored to agree but has not reached agreement with the landowners or their representatives upon the proper compensation, terms and conditions for the damage that will be done or is likely to be done to or sustained by them; and

WHEREAS, the Company is authorized by law to condemn and appropriate the properties necessary for such purposes; and

WHEREAS, Board of Directors approval is a necessary legal condition for the Company to appropriate the required rights-of-way for the Lands.

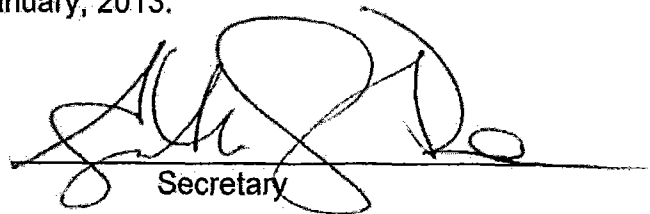
NOW THEREFORE, BE IT RESOLVED, That it is necessary to condemn and appropriate rights-of-way and easements on, over, across or under the Lands to the extent required for rights-of-way to be presently used for the overhead or underground construction, operation and maintenance of the new 230 kV transmission lines associated with the Northeast Pocono Reliability Project, for the transmission and/or distribution of electric light, heat and power, or any of them, including such poles, wires, conduits, cables, manholes, and all other facilities, fixtures and apparatus as may be necessary for the proper and efficient construction, operation and maintenance of such line; and further

RESOLVED, That the Company shall and hereby does condemn and appropriate rights-of-way and easements ("Easement Area") to the extent necessary for the rights-of-way described above on, over, across or under the Lands owned or reputed to be owned by the above-named property owners, such rights-of-way being more fully described in Exhibit . . . MM . . . and being necessary for the Company's corporate uses for the construction, operation, renewal, replacement, relocation, addition to, and maintenance of the facilities constituting the overhead or underground transmission line, including poles, wires, conduits, cables, manholes and all other necessary appurtenances for the transmission or distribution of electricity ("Electric Facilities"), on, over, across or under the rights-of-way described in Exhibit . . . MM . . . , together with: (1) the right of ingress and egress to, from, upon, and over the subject properties to access the Easement Area and Electric Facilities at all times for the construction, operation, maintenance, replacement, and reconstruction of the Electric Facilities and for any of the purpose aforesaid; (2) the right to cut down, trim, remove, and to keep cut down and trimmed by mechanical means or otherwise, any and all trees, brush, or other undergrowth now or hereafter growing on or within the Easement Area, as well as the right to cut down, trim, and remove any and all trees adjoining or outside of the Easement Area which in the judgment of PPL Electric, its successors, assigns, and

lessees may at any time interfere with the construction, reconstruction, maintenance, or operation of the Electric Facilities or menace the same, and in connection with the aforementioned rights, the right to remove, if necessary, the root systems of such trees, brush, or other undergrowth and to treat such brush and undergrowth with herbicides labeled to allow their use for the removal and control of vegetation; and (3) a prohibition against any buildings, swimming pools, or other improvements or structures whatsoever being built, constructed, or placed within the Easement Area, as well as any inflammable or explosive materials being stored within the Easement Area, as well as the right of the Company to remove any buildings, structures, or other improvements from the Easement Area; and further

RESOLVED, That the proper officers of the Company are hereby authorized and directed to execute such bonds and/or other paper, to take such action and to bring such proceedings on behalf of the Company as may be necessary or advisable in the exercise of the power of eminent domain to condemn and appropriate such rights-of-way and easements or fee simple title and to enter upon, use and occupy any of the Lands for the purposes described in the above resolutions.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Company this the 17<sup>th</sup> day of January, 2013.

  
Secretary