

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 04/18/95
8. DOCKET NO: A-110500 F0232	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT:

RESPONDENT/APPLICANT: PENNSYLVANIA POWER & LIGHT CO.

COMP/APP COUNTY: CARBON

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

APPLICATION OF PENNSYLVANIA POWER AND LIGHT COMPANY UNDER THE ACT OF GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, APPROVED DECEMBER 21, 1988, P.L. 1444, FOR A FINDING AND DETERMINATION THAT THE SERVICE TO BE FURNISHED BY APPLICANT THROUGH ITS PROPOSED EXERCISE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE RIGHT-OF-WAY IN CONNECTION WITH THE CONSTRUCTION OF LEHIGHTON 138/69 KV TRANSMISSION LINE OVER AND ACROSS LAND OF MARION L. WALKER, JR. AND SANDRA G. WALKER, IN CARBON COUNTY, IS NECESSARY OR PROPER FOR THE SERVICE, ACCOMMODATION, CONVENIENCE OR SAFETY OF THE PUBLIC.

DOCUMENT
FOLDER

DOCKETED
APR 20 1995



Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

Jesse A. Dillon
Attorney
610/774-5013

FAX: 610/774-6726

April 17, 1995

RECEIVED
APR 18 11:48 AM
F. W. COITZ, JR.
P. U. C. DIV.

A-110500 F0232

Mr. John G. Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

Re: Application of Pennsylvania Power & Light Company under the Act of General Assembly of the Commonwealth of Pennsylvania, approved December 21, 1988, P.L. 1444, for a finding and determination that the service to be furnished by applicant through its proposed exercise of the power of eminent domain to acquire right-of-way in connection with the construction of Lehighon 138/69 kV Transmission Line over and across land of Marion L. Walker, Jr. and Sandra G. Walker, in Carbon County, is necessary or proper for the service, accommodation, convenience or safety of the public;
Docket No. A-

Dear Secretary Alford:

Enclosed for filing on behalf of Pennsylvania Power & Light Company ("PP&L" or the "Company") are an original and two copies of an Application for the exercise of the power of eminent domain to acquire right-of-way across the property of Marion L. Walker and Sandra G. Walker, Franklin Township, Carbon County. The exercise of the power of eminent domain is necessary in connection with PP&L's proposal to construct a Lehighon 138/69 KV Transmission Line, which is the subject of the Company's pending Certification Application at Docket No. A-110500F0224

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April 17, 1995

PP&L is today filing three other eminent domain application for the proposed Lehighon Line. As noted in the enclosed Application, PP&L seeks to consolidate the eminent domain applications with the pending Certification Application pursuant to 52 Pa. Code § 57.75(i)(1). Pursuant to 52 Pa. Code § 57.75(i)(2), PP&L, on February 1, 1995, served a complete copy of PP&L's application on the proposed condemnee.

Also enclosed is a check for \$350 in payment of the required filing fee. Copies of this Application have been served in accordance with the attached Certificate of Service. Also enclosed is an additional copy of this cover letter which we request that you date-stamp and return in the self-addressed stamped envelope as evidence of filing.

Very truly yours,



Jesse A. Dillon

Enclosures

cc: Certificate of Service
Mr. G. P. Billman, N-4
Mr. R. E. Cary, SNO-Z2

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Pennsylvania
Power & Light Company under the Act
of General Assembly of the Common-
wealth of Pennsylvania, approved
December 21, 1988, P.L. 1444, for a
finding and determination that the
service to be furnished by applicant
through its proposed exercise of the
power of eminent domain to acquire
right-of-way in connection with the
construction of a Lehighon 138/69 KV
Transmission Line over and across land
of Marion L. Walker, Jr. and Sandra G.
Walker, in Carbon County, is necessary
or proper for the service,
accommodation, convenience or safety
of the public

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APR 18 1995

PUBLIC UTILITY COMMISSION
SECRETARY BUREAU

Application Docket No.

A- 110500 F0232

**APPLICATION OF PENNSYLVANIA POWER & LIGHT
COMPANY TO EXERCISE THE POWER OF EMINENT
DOMAIN ACROSS THE PROPERTY OF
MARION L. WALKER, JR. AND SANDRA G. WALKER**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of Applicant is Pennsylvania Power & Light Company ("PP&L" or the "Company"), Two North Ninth Street, Allentown, Pennsylvania 18101.

2. The names and addresses of PP&L's attorneys are:

David B. MacGregor
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, PA 19103

Jesse A. Dillon
Pennsylvania Power & Light Company
Two North Ninth Street
Allentown, PA 18101-1179

3. PP&L is a public utility of the Commonwealth of Pennsylvania duly formed by consolidation and merger, having received Letters Patent dated June 4, 1920, from the Governor of the Commonwealth of Pennsylvania. PP&L is subject to the Pennsylvania Business Corporation Law of 1988, P.L. 1444, No. 177, and submits this application pursuant to Section 103 of that statute, 15 Pa.C.S. § 1511. PP&L has succeeded to the certifications, franchises and all the property, real, personal and mixed, of various other corporations, and now has authority, inter alia, to supply, and is supplying light, heat and power, or any of them, by means of electricity to the public in various cities, boroughs, townships and districts in central and eastern Pennsylvania.

4. PP&L is now furnishing electric service throughout its chartered or certificated territory, which comprises twenty-nine (29) counties in eastern and central Pennsylvania.

5. PP&L has constructed and operates the following generating

plants:

Brunner Island	Montour
Conemaugh (11.39% interest)	Martins Creek
Susquehanna (90% interest)	Sunbury
Holtwood	Wallenpaupack
Keystone (12.34% interest)	

In addition, PP&L owns a one-third interest in the Safe Harbor Water Power Corporation which owns and operates the Safe Harbor hydroelectric plant. PP&L also operates combustion turbines (517 MW) at the Allentown, Harrisburg, Harwood, Williamsport, West Shore, Fishbach, Jenkins, Lock Haven, Martins Creek and Sunbury substations, primarily for peaking and local area protection. These generating plants supply electricity to the public over approximately 3,800 miles of transmission lines operating at 69,000 volts or higher, more than 325 substations with a capacity of 10,000 KVA and over, and approximately 53,000 miles of distribution lines operating at less than 69,000 volts. Exhibit "A," which is attached hereto and made a part hereof, is a map of PP&L's bulk power transmission system, showing generating plants, substations and transmission lines. PP&L's electric system is also operated as a part of the eleven member Pennsylvania-New Jersey-Maryland (PJM) Interconnection, a fully integrated power pool serving about 21 million people in a 50,000-square-mile territory in the eastern United States.

6. On February 1, 1995, PP&L filed with the Pennsylvania Public Utility Commission ("Commission") a certification application seeking Commission authorization to construct a Lehigh 138/69 kV Transmission Line. See Docket No. A-110500F0224. The line will be constructed in Franklin Township, Mahoning Township and Lehigh Borough, all located in Carbon County.

7. This project consists of a 1.5 mile, 138/69 kV double-circuit transmission line that will connect the Weissport 138/69 kV tap of the East Palmerton-Wagners 138/69 kV Transmission Line with a customer-owned substation to be constructed by the Borough of Lehigh. In addition, a second 138 kV circuit (initially operated at 69 kV) will be added to a short section of the Weissport 138/69 kV tap from the Weissport substation to a point just beyond the point where the new Lehigh Tap will be connected. The lines will initially operate at 69 kV but will be built for 138 kV operation since conversion to 138 kV is expected within the life of these facilities.¹ Electricity use in Mahoning and Franklin Townships has increased over the years to the point where reinforcement to the 12 kV distribution system needs to be made to ensure continued reliability. PP&L recently agreed to serve the Borough of Lehigh at the higher voltage level in order to make the link between the two utilities more efficient and more economical. Building a new transmission line to the Borough of Lehigh will

¹ In addition, PP&L plans to operate one section of the new Lehigh 138/69 kV Tap at 12 kV for a period of time.

relieve these supply pressures in other PP&L service areas and reduce the need to build additional facilities in those areas.

8. The Company engaged in an extensive, multi-faceted analysis to select a route for the proposed line. Pursuant to the Commission's siting regulations, the Company conducted detailed studies of the entire area to minimize the project's environmental and land use impacts. A description of those studies is contained in Exhibit "B" of the Certification Application.

9. The route of the proposed transmission line crosses a certain tract or tracts of land, a legal description of which is attached as Exhibit "D" to this Application. The name and post office address of the owner of said land is Marion L. Walker, Jr. and Sandra G. Walker, 308 Spruce Street, Lehighton, Pennsylvania 18235. PP&L has endeavored to purchase a right-of-way over the said tract of land for the purposes described above, but has been unable to reach any agreement with the property owners.

10. PP&L desires to enter upon, use, take and appropriate an easement across a portion of said land to the extent authorized by law and necessary for its corporate use as a right-of-way for the construction, operation and maintenance of the proposed line for the transmission of electric energy for light, heat and power. A legal description and map of the right-of-way to be

acquired by condemnation are contained in Exhibits "B" and "C", respectively, which are attached hereto and made a part hereof.

11. The right-of-way sought to be acquired in this Application does not include any streams, rivers, or waterways of this Commonwealth, or other public property, or property of a public utility, or property used as a burying ground or place of public worship, or a dwelling house or any part of the reasonable curtilage appurtenant thereto.

12. No other public utility is now furnishing, or has the corporate right, power, franchise or certification to furnish the same service as, or service similar to, that which PP&L will furnish by means of the transmission line to be constructed over and upon the right-of-way to be acquired as set forth in this Application.

13. The service to be furnished by PP&L through the proposed transmission line and related facilities is necessary or proper for the service, accommodation, convenience or safety of the public for the reasons set forth in this Application and in the Certification Application filed at Docket No. A-110500F0224.

14. An appropriate resolution was adopted by PP&L's Board of Directors on March 22, 1995 authorizing and directing the instant Application. A copy of said resolution is attached hereto and made a part hereof as Exhibit "E."

15. Pursuant to 52 Pa. Code § 57.75(i)(1), PP&L seeks to consolidate this Application for the exercise of the power of eminent domain, as well as the three other eminent domain applications the Company is concurrently filing, with the Certification Application docketed at A-110500F0224. In accordance with the requirements of 52 Pa. Code § 57.75(i)(2), PP&L, on February 1, 1995, served a complete copy of the Certification Application upon the *persons, corporations or other entities having a property interest sought to be acquired by this eminent domain Application.*

WHEREFORE, PP&L respectfully requests that the Commission consolidate this Application for the exercise of the power of eminent domain with the Certification Application docketed at A-110500F0224, and find and determine that the service to be furnished by PP&L through the proposed exercise of the power of eminent domain, as set forth above, is necessary or proper for the service, accommodation, convenience or safety of the public.

Respectfully submitted,

PENNSYLVANIA POWER & LIGHT
COMPANY

By:



Jesse A. Dillon
Pennsylvania Power & Light
Company
Two North Ninth Street
Allentown, PA 18101
(610) 774-5013

David B. MacGregor
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, PA 19103
(215) 963-5448

Counsel for Pennsylvania
Power & Light Company

Date: April 17, 1995

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Pennsylvania
Power & Light Company under the Act
of General Assembly of the Common-
wealth of Pennsylvania, approved
December 21, 1988, P.L. 1444, for a
finding and determination that the
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through its proposed exercise of the
power of eminent domain to acquire
right-of-way in connection with the
construction of a Lehigh 138/69 kV
Transmission Line over and across land
of Marion L. Walker, Jr. and Sandra G.
Walker, in Carbon County, is necessary
or proper for the service,
accommodation, convenience or safety
of the public

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PUBLIC UTILITY COMMISSION
SECRETARY BUREAU

Application Docket No.

A- 110500 F0232

CERTIFICATE OF SERVICE

I certify that I have this date served by certified mail, return receipt requested, a copy of the above-captioned Application pursuant to 52 Pa. Code § 57.72(d)(3) upon those persons listed below:

VIA FIRST CLASS MAIL WITH EXHIBITS

Administrative Law Judge Office
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

The Honorable Bradley L. Mallory, Secretary
Commonwealth of Pennsylvania
Pennsylvania Department of Transportation
1200 Transportation and Safety Building
Harrisburg, Pennsylvania 17120

VIA FIRST CLASS MAIL WITHOUT EXHIBITS

Mr. Frederick G. Carlson
Department of Environmental Resources
P. O. Box 2063
Second Floor, Fulton Building
Harrisburg, Pennsylvania 17120

Mr. Kurt W. Carr, Chief
Division of Archeology & Protection
PA Historical & Museum Commission
Bureau of Historical Preservation
Box 1026
Harrisburg, Pennsylvania 17108-1026

Mr. Frank J. Cianfrani
U.S. Army Corps of Engineers
Philadelphia District
Regulatory Branch
Wanamaker Building
100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

Mr. James J. Clauser, District Manager
Carbon County Conservation District
92 Blakeslee Boulevard East
Lehighton, Pennsylvania 18235-9045

Mr. Fred Sherrerd, Chairman
County of Carbon
Office of Planning & Development
Court House Annex
Jim Thorpe, Pennsylvania 18229-1238

Mr. Dean D. DeLong, Chairman
Carbon County Commissioners
P.O. Box 129
Jim Thorpe, Pennsylvania 18229-0129

Mr. Wilbur Bauchspies, Mayor
Lehighton Borough Municipal Building
P.O. Box 29
Lehighton, Pennsylvania 18235

Mr. Manuel DeCosta, Chairman
Lehighon Planning Commission
136 S. 7th Street
Lehighon, Pennsylvania 18235-1802

Mr. Daryl Arner, President of Borough Council
Lehighon Borough Council
P.O. Box 29
Lehighon, Pennsylvania 18235

Mr. Timothy Eckert, Chairman
Mahoning Township Supervisors
2685 Mahoning Drive East
Lehighon, Pennsylvania 18235

Mr. Bruce Keiper, Chairman
Mahoning Township Planning Commission
2685 Mahoning Drive East
Lehighon, Pennsylvania 18235

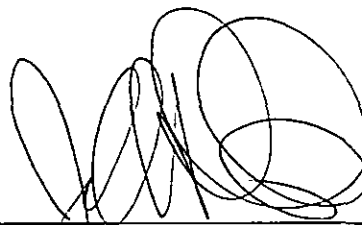
Mr. Glen Haydt, Chairman
Franklin Township Planning Commission
900 Fairyland Road
Lehighon, Pennsylvania 18235

Mr. David Witwer, Executive Director
Delaware-Lehigh Canal Commission
10 E. Church Street, Room P208
Bethlehem, Pennsylvania 18018

Mr. Ronald W. Solt, Chairman
Franklin Township Supervisors
900 Fairyland Road
Lehighon, Pennsylvania 18235

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED WITH EXHIBITS

Marion L. Jr. & Sandra G. Walker
308 Spruce Street
Lehighton, Pennsylvania 18235



Jesse A. Dillon

Dated: April 17, 1995
at Allentown, Pennsylvania

Before the
Pennsylvania Public Utility
Commission

Exhibits to the
Application for Eminent Domain
across Property of

Marion L. Walker, Jr. and
Sandra G. Walker

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Penn. Public Util.
INFO. CONTROL DIV.

Submitted By:

PP&L Pennsylvania Power & Light Co.

**APPLICATION FOR EMINENT DOMAIN ACROSS
PROPERTY OF MARION L. WALKER, JR. AND SANDRA G. WALKER**

<u>TOPIC</u>	<u>TAB</u>
1. SYSTEM MAP	A
2. LEGAL METES AND BOUNDS DESCRIPTION OF THE RIGHTS-OF-WAY TO BE CONDEMNED.	B
3. MAP SHOWING THE LOCATION OF THE TRANSMISSION LINE AND RIGHTS-OF-WAY TO BE ACQUIRED - A-239970	C
4. DESCRIPTION OF PROPERTY	D
5. PENNSYLVANIA POWER & LIGHT COMPANY'S BOARD OF DIRECTORS' RESOLUTION	E

**LEHIGHTON TAP
RIGHT OF WAY TO BE CONDEMNED ON PROPERTY OF MARION L. WALKER, JR. AND
SANDRA G. WALKER**

BEGINNING at the point of intersection of the prolongation of the centerline of a proposed Pennsylvania Power & Light Company Electric Line, known as Leighton Tap, and an existing Pennsylvania Power & Light Company right of way line for the line known as Weissport Tap, thence along said right of way line of Weissport Tap South 37 degrees 50 minutes 51 seconds East 41 feet, more or less; thence through land of Marion L. Walker, Jr., and Sandra G. Walker, of which the herein described easement is a part, the following (4) bearings and distances: (1) South 40 degrees 49 minutes 41 seconds West 36 feet, more or less, (2) North 37 degrees 50 minutes 51 seconds East 43 feet, more or less, (3) North 53 degrees 55 minutes 02 seconds West 58 feet, more or less, and (4) North 40 degrees 49 minutes 41 seconds West 35 feet, more or less, to a point in the right of way line of said Weissport Tap; thence along said right of way South 53 degrees 55 minutes 02 seconds East 60 feet, more or less, to the point of beginning.

Containing 0.08 Acre, more or less B-239970.

P&L FORM 4163B (11/92) PENNSYLVANIA POWER & LIGHT COMPANY, ALLENTOWN, PA



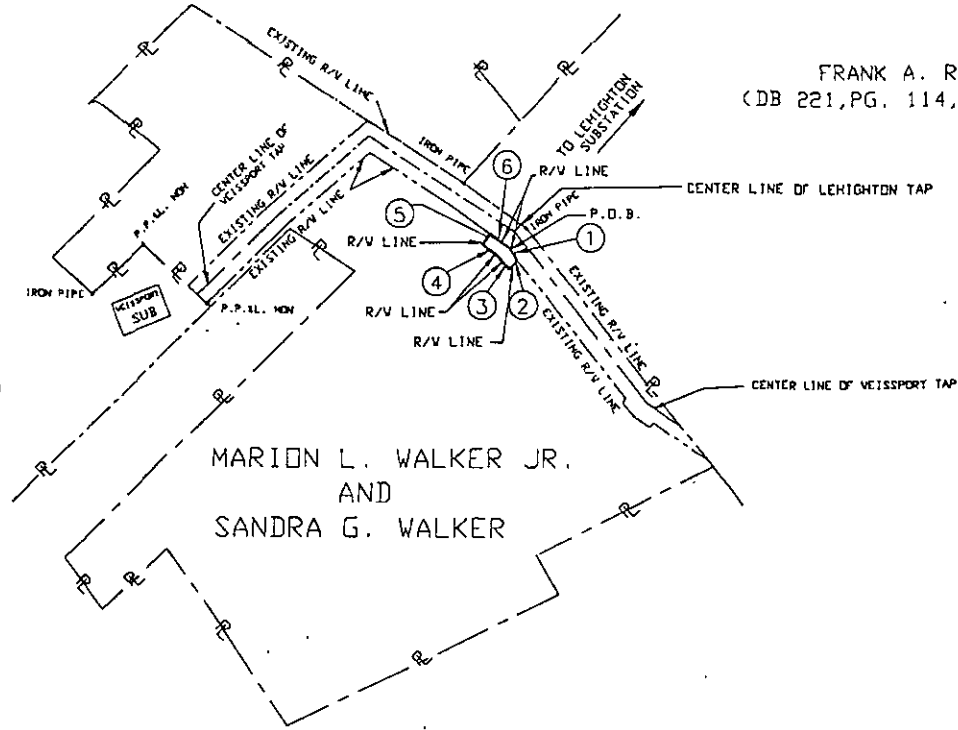
BEARINGS & DISTANCES

- ① S37°50'51"E - 41' ±
- ② S40°49'41"W - 36' ±
- ③ N37°50'51"E - 43' ±
- ④ N53°55'02"W - 58' ±
- ⑤ N40°49'41"W - 35' ±
- ⑥ S53°55'02"E - 60' ±

0.08 ACRES ±

FRANK A. RENNER JR.
(DB 221, PG. 114, TRACKS 1, 2, 4 & 6)

P.P. & L.
(DB 327, PG. 121)



MARION L. WALKER JR.
AND
SANDRA G. WALKER

NOTES:

BEARINGS ARE BASED ON CENTERLINE OF ELECTRIC LINE SURVEY.

2

ACCT- 167027	LEHIGHTON TAP PLAN SHOWING ELECTRIC LINE RIGHT OF WAY OVER PROPERTY OF MARION L. WALKER, JR. AND SANDRA G. WALKER (DB 471, PG. 190)	
SCALE-		
DRAWN- GRB		
CHECKED-		
SQUAD SUPV-		
APPV'D-		
APPV'D-	FRANKLIN TWP.	CARBON CO., PA.
PC FORMAT	DATE	PP&L DRAWING NO.
APPROVED	DATE	PP&L DRAWING NO.
APPROVED <i>J. P. Bluman</i> 3/3/95		SHEET NO. 10

NO.	DATE	ACCT.	REVISION	BY	CH	SS	APPROVED

29850

P&P NO.

552251N8

LOCATION CODES

SORTS

ACAD12.B239956.S1.RD.DWG

**LEHIGHTON 138/69 KV TAP
PROPERTY DESCRIPTION
MARION L. WALKER, JR. AND SANDRA G. WALKER
DEED BOOK 471, PAGE 190**

ALL THAT CERTAIN tract of land situate in the Township of Franklin, County of Carbon and State of Pennsylvania, and more particularly shown on the plat of a survey of combined lands of John A. and Kathryn E. Miller and Robert L. and Fern A. Miller, Plan No. A-142, dated April 21, 1986, as prepared by Ralph W. Clay, P.L.S. recorded in the Office of the Recorder of Deeds in and for the County of Carbon in Map Book 1, Page 861, on May 9, 1986, bounded and described as follows, to wit:

BEGINNING at a Pennsylvania Power and Light Company steel monument as found, which monument being the Northeasterly corner of land of the said Pennsylvania Power and Light Company as recorded in the Office of the Recorder of Deeds in Deed Book Volume 327, Page 123, and a point on line of lands of now or formerly Isabel M. Eaches, as recorded in Deed Book Volume 130, Page 705; thence from said point of beginning and along lands of the said Pennsylvania Power and Light Company, the following three courses and distances: (1) South seventy-four degrees two minutes thirty-three seconds West two hundred forty-nine and sixty-two hundredths feet (S 74° 02' 33" W 249.62') to a PP&L Company steel monument as found, set in concrete; thence (2) South eleven degrees forty-five minutes twenty-seven seconds East one hundred ninety feet (S 11° 45' 27" E 190.00') to a 1-1/4" iron pipe as set; thence (3) South seventy-four degrees two minutes thirty-three seconds West one hundred forty-seven and ninety hundredths feet (S 74° 02' 33" W 147.90') to a 1-1/4" iron pipe as found; thence leaving said land of the Pennsylvania Power and Light Company, and along land now or formerly of Willard L. Laury, as recorded in Deed Book Volume 470, Page 680, the following three courses and distances: (1) North twelve degrees nineteen minutes no seconds West four hundred twelve and twenty-nine hundredths feet (N 12° 19' 00" W 412.29') to a 1-1/4" iron pipe as found; thence (2) South seventy degrees thirty-five minutes thirty-two seconds West two hundred four and forty-three hundredths feet (S 70° 35' 32" W 204.43') to a 1-1/4" iron pipe as set; thence (3) along a curve to the left, having a radius of twenty-five feet (25.00') an arc length of thirty-six and eighteen hundredths feet (36.18'), a central angle of eighty-two degrees fifty-four minutes thirty-two seconds (82° 54' 32"), a tangent of twenty-two and eight hundredths feet (22.08') and a chord of thirty-three and ten hundredths feet (33.10'), to a 1-1/4" iron pipe as found on the Easterly right-of-way of a fifty feet (50.00') wide Township Road No. 430, known as "Skyline Drive" thence along the Easterly right-of-way of said T.R. No. 430, North twelve degrees nineteen minutes no seconds West three hundred eighty-eight and eighty-nine hundredths feet (N 12° 19' 00" W 388.89') to a point on line of land now or formerly of Joseph J. Fital recorded in Deed Book Volume 436, Page 949, said point being located on a course, North sixty-five degrees four minutes forty-three seconds East nine and seventy-one hundredths feet (N 65° 04' 43" E 9.71') from a concrete monument as found; thence along said line of land of Joseph J. Fital), North sixty-five degrees four minutes forty-two seconds East one hundred seventy-four and ninety-eight hundredths feet (N 65° 04' 42" E 174.98') to a concrete monument as found; thence along land now or formerly of Reuban A. Kunkle, Jr. as recorded in Deed Book Volume 349, Page 694, North sixty-five degrees thirteen minutes eighteen seconds East two hundred sixty-nine and ninety-three hundredths feet (N 65° 13' 18" E 269.93') to a 1/2" iron pipe as found; thence along land now or formerly of Alvin Endick as

recorded in Deed Book Volume 376, Page 28, North sixty-five degrees eight minutes forty-six seconds East four hundred forty-four and fifty-nine hundredths feet (N 65° 08' 46" E 444.59') to a 1/2" iron pipe as found; thence along land now or formerly of Frank Renner, Jr. as recorded in Deed Book Volume 221, Page 114, the following two courses and distances, which two courses and distances being lines by neutral agreement with the said Frank Renner, Jr. and the grantors herein as recorded in Miscellaneous Book 57, Page 633, (1) North sixty-seven degrees fifty-six minutes nine seconds East two hundred ten and thirty hundredths feet (N 67° 56' 09" E 210.30') to a 3/4" iron pipe as set by the said Frank Renner, Jr. and the grantors herein; thence (2) North eighty-three degrees forty-six minutes twenty-one seconds East eight hundred twenty-four and forty-eight hundredths feet (N 83° 46' 21" E 824.48') to a 1" iron pin as found; thence along land partly of now or formerly of John M. Barry as recorded in Deed Book Volume 169, Page 212, and now or formerly of Larry Markley as recorded in Deed Book 262, Page 543, South six degrees fifty-one minutes fifty-three seconds West five hundred thirty-six and seventy-nine hundredths feet (S 06° 51' 53" W 536.79') to a 1-1/4" iron pipe as found, passing at two hundred seventy-three and seventy-four hundredths feet (273.74') a 1" iron pin as found over line thirty-three hundredths feet (0.33'); thence still along land of said Larry Markley, South eighty-seven degrees thirty-six minutes thirteen seconds East one hundred twenty-eight and sixty-six hundredths feet (S 87° 36' 13" E 128.66') to a point on the Westerly right-of-way of Township Road No. 432, passing over on line at a distance of one hundred twenty-three and ninety-two hundredths feet (123.92') a 1/2" iron pipe as found; thence along the Westerly right-of-way line of said Township Road No. 432, South six degrees twenty-eight minutes twelve seconds West eight hundred twenty-three and twelve hundredths feet (S 06° 28' 12" W 823.12') to a point; thence along land partly of now or formerly Dennis Shaeffer as recorded in Deed Book Volume 390, Page 507, now or formerly of Dennis Sharkey as recorded in Deed Book Volume 395, Page 136, and Leonard Kudrick as recorded in Deed Book Volume 459, Page 927, South eighty-eight degrees six minutes twelve seconds West two hundred fifty and seventy-two hundredths feet (S 88° 06' 12" W 250.72') to an iron bolt as found passing over on line at a distance of two and twenty-two hundredths feet (2.22') an iron bolt as found, further on at a distance of sixty-eight and sixty-four hundredths feet (68.64') a 3/4" iron pin as found, and marking the Northeasterly corner of the said Dennis Sharkey, and further on at a distance of one hundred seventy-four and forty-seven hundredths feet (174.47') a 1/2" iron pipe as found and marking the Northwesterly corner of the said Dennis Sharkey; thence along land of the herein before mentioned Leonard Kudrick, South eighty-nine degrees twenty-eight minutes thirteen seconds West sixty-nine and sixty-one hundredths feet (S 89° 28' 13" W 69.61') to a 1/2" iron pipe as set; thence along land now or formerly of Delores Solt as recorded in Deed Book Volume 375, Page 122, South eighty-seven degrees fourteen minutes forty seconds West two hundred sixty-one feet (S 87° 14' 40" W 261.00') to a 1/2" iron pipe as set; thence by the same, South ten degrees fifty-nine minutes thirty seconds East two hundred forty-two and forty-four hundredths feet (S 10° 59' 30" E 242.44') to a point on the Northerly right-of-way of Legislative Route No. 13011, said point being one and ninety-eight hundredths feet (1.98') distant on line from a 1" iron pipe as found, and said last mentioned course passing over on line at a distance of one and ninety-five hundredths feet (1.95') to a 1" iron pipe as found; thence along said Northerly right-of-way line of L.R. 13011, South eighty-six degrees thirty-one minutes seventeen seconds West one hundred seventy-four and six hundredths feet (S 86° 31' 17" W 174.06') to a 1/2" iron pipe as set; thence along land of the hereinbefore mentioned Isabel M. Eaches, the following three courses and distances which are lines by mutual agreement of the said Isabel M. Eaches and grantors herein

as recorded in Miscellaneous Book 57, Page 628, (1) North twelve degrees twenty minutes no seconds West one thousand one hundred five and forty-seven hundredths feet (N 12° 20' 00" W 1105.47') to a 1/2" iron pipe as set, passing over on line at a distance of six hundred seven and fifty-eight hundredths feet (607.58') a 1/2" iron pipe as set; thence (2) South sixty-four degrees forty-one minutes thirteen seconds West two hundred nine and forty-eight hundredths feet (S 64° 41' 13" W 209.48') to a 1" iron pin as found; thence (3) South twelve degrees eight minutes forty-four seconds East three hundred three and seventy hundredths feet (S 12° 08' 44" E 303.70') to a PP&L Company steel monument as found, the point of BEGINNING.

CONTAINING 39.127 acres.

BEING a part of Tract #1 and all of Tract #2 of the same premises which Christiana Diehl (widow) by Deed dated April 23, 1965, and recorded in the office for the recording of deeds in and for the County of Carbon in Deed Book 250, Page 98, granted and conveyed unto Kathryn E. Miller and John A. Miller, her husband, two of the grantors herein.

ALSO BEING a part of Tract #1 and part of Tract #2 and all of Tract #3 of the same premises which Christiana Diehl (widow) by Deed dated April 23, 1965, and recorded in the office for recording of deeds in and for the County of Carbon in Deed Book 250, Page 102, granted and conveyed unto Kathryn E. Miller and John A. Miller, her husband, two of the grantors herein.

ALSO BEING all of the tract described in the first paragraph, Tract No. 1, Tract No. 3 and the tract described in the last paragraph of the same premises which Kathryn E. Miller and John A. Miller, her husband, by Deed dated July 13, 1973, and recorded in the office for recording of deeds in and for the County of Carbon in Deed Book 340, Page 44, granted and conveyed unto Robert L. Miller and Fern A. Miller, his wife, two of the grantors herein.

UNDER AND SUBJECT to the following rights-of-way and easement with the Pennsylvania Power and Light Company all of which are filed in Carbon County Miscellaneous Book Volumes as follows: 49 at Page 31, 49 at Page 324, 44 at Page 757, and 49 at Page 27, all of which are underground and overhead transmission lines, evident on the ground and shown on said hereinbefore mentioned plan.

Parcel #2

I, DIANE M. KOCH, Assistant Secretary of Pennsylvania Power & Light Company, 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 at a meeting held on March 22, 1995, and that said resolutions have not been altered, amended or repealed and are in full force and effect:

WHEREAS, Marion L. Walker, Jr. and Sandra G. Walker are the owners of certain property in Franklin Township, Carbon County; and

WHEREAS, Frank A. Renner, Jr. is the owner of certain property in Franklin Township, Carbon County; and

WHEREAS, Paul D'Orazio and Maria D'Orazio are the owners of certain property in Franklin Township, Carbon County; and

WHEREAS, Joseph W. Zaprazny and Elizabeth Zaprazny are the owners of certain property in Mahoning Township and Lehighon Borough, Carbon County; and

WHEREAS, The construction by this Company of the Lehighon 138,000 volt double-circuit electric transmission line (to be initially operated at 69,000 volts), on, over and across said lands, is necessary for the supply of light, heat and power to the public; and

WHEREAS, Board of Directors approval is a necessary legal condition for PP&L to appropriate the necessary rights-of-way; and

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

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

NOW THEREFORE, Be it resolved that it is necessary for the corporate use of this Company to condemn and appropriate easements on, over, across, under, along or within said lands to the extent required for rights-of-way to be presently used for the overhead construction, operation and maintenance of the 138,000 volt double circuit Lehigh Transmission Line, for the transmission and/or distribution of electric light, heat and power, or any of them, including such poles, towers, guys, wires, fiber optics, conduits, cables, manholes, and all other facilities, fixtures and apparatus above and below ground as may be necessary for the proper and efficient construction, operation and maintenance of said line; and further

RESOLVED, That the Company shall and hereby does condemn and appropriate easements to the extent necessary for said rights-of-way as aforementioned on, over, across, under, along or within said lands owned or reputed to be owned by the above-named property owners, said rights-of-way being more fully described in Exhibit E and subject to survey as may be therein noted, which was presented at this meeting and ordered filed with the records hereof and by reference is incorporated herein, said rights-of-way being necessary for this Company's corporate uses for the construction, operation, renewal, replacement, relocation, addition to, and maintenance of the facilities constituting the said overhead transmission line, including poles, towers, guys, wires, fiber optics, conduits, cables, manholes and all other fixtures and apparatus above and below ground for the convenient transaction of the business of the Company in the transmission and/or distribution of electricity, on, over, across, under, along or within the said rights-of-way described in Exhibit E together with:

- (1) the right, as often as necessary, to cut down or remove any trees or brush, including the root systems of said trees or brush, and to remove any buildings or other things from the said rights-of-way;
- (2) the right to cut down and/or trim any trees within 25 feet on either or both sides of the edge of the said rights-of-way which may endanger the safety of, interfere with the use of, or be a menace to any facilities or structures which may now or in

the future be maintained upon said rights-of-way; and (3) the right of ingress and egress to, from, upon and over the said rights-of-way for the construction, operation and maintenance of said line; and further

RESOLVED, That the proper officers of this 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 said easements and to enter upon, use and occupy said lands for the purposes aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Company this 29th day of March, 1995.


Assistant Secretary