



July 8, 2021

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: PUC No. A-2019-3009782

Dear Secretary, Chiavetta:

Attached is a revised submission for approval is one copy of the signed Plans for the Acquisition of Right-of-Way for State Route 70, Section E10 R/W in Rostraver Townships, Westmoreland County, consisting of sheets 1 through 10, 42, 58, 77, 78, 95 through 98, 134, 154 through 156, 220 through 224 of 224 for total of 27 sheets.

Also attached is one color-coded copy of sheet 77,78, 95 through 98 of 224 of the Plans for the Acquisition of Right-of-Way and one copy of the Property Descriptions to be appropriated by the Commission from Pittsburgh & West Virginia Railroad.

The Department of Transportation hereby avers that a set of the aforesaid final Plans and a copy of the Property Descriptions are being sent to the parties of record as indicated on the Certificate of Service for examination simultaneously with this submission to the Public Utility Commission.

We respectfully request the approval of these Plans and the appropriation of the property. Should you have any questions or concerns, please feel free to contact me at (724) 439 - 7190.

Sincerely,

A handwritten signature in black ink that reads "Thomas A. Ryczek Jr." in a cursive script.

Thomas A. Ryczek Jr.
District Grade Crossing Administrator
Engineering District 12-0
Department of Transportation

cc: Mark J. Chappell, P.E., Right-of-Way and Utilities Section, 7th Floor, CKB
Karen L. Cummings, Office of Chief Counsel, 9th Floor, CKB
Ron Hull, P.E., Rail Safety Engineering Section, PUC, 3rd Floor, CKB

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public below grade crossing by widening the State Route 0051 which crosses under the track of Wheeling & Lake Erie Railway Company (DOT Number 472 722 J) in Rostraver Township, Westmoreland County and the allocation of costs incident thereto.

Application
Docket No. A-2019-3009782

Electronically Filed

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below, in accordance with the requirements of 52 Pa. Code § 1.54, by first class mail, postage prepaid:

Mr. Kasey O'Connor
Vice President Engineering
Wheeling & Lake Erie Railway
100 East First Street
Brewster, Ohio 44613
koconnor@wlerwy.com

Kathleen Jones Goldman
Buchanan Ingersoll
Union Trust Building
501 Grant Street, Suite 200
Pittsburgh, PA 15219-4413
kathleen.goldman@bipc.com

Ms. Vera Spina
Westmoreland County Commissioners
101 Courthouse Square
2 North Main Street
Greensburg, PA 15601
vspina@co.westmoreland.pa.us

Ms. Pamela S. Beard
Rostraver Township
201 Municipal Drive
Belle Vernon, PA 15012
commissioners@rostraver.us
pbeard@rostraver.us

Mr. Curt Fontaine
Municipal Authority of
Westmoreland County
P. O. Box 730
Greensburg, PA 15601
fontaine@mawc.org

Ms. Ann C. Scott
Rostraver Township Sewage Authority
1744 Rostraver Road
Belle Vernon, PA 15012
manager@rostraversewage.com

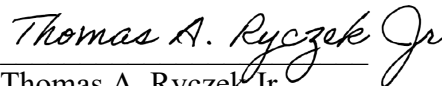
Mr. Brad Herrington
West Penn Power
800 Cabin Hill Drive
Greensburg, PA 15601
bherrin@firstenergycorp.com

Mr. Keith Fowler
Verizon PA, LLC
41 East Beau Street
Washington, PA 15301
keith.a.fowler@verizon.com

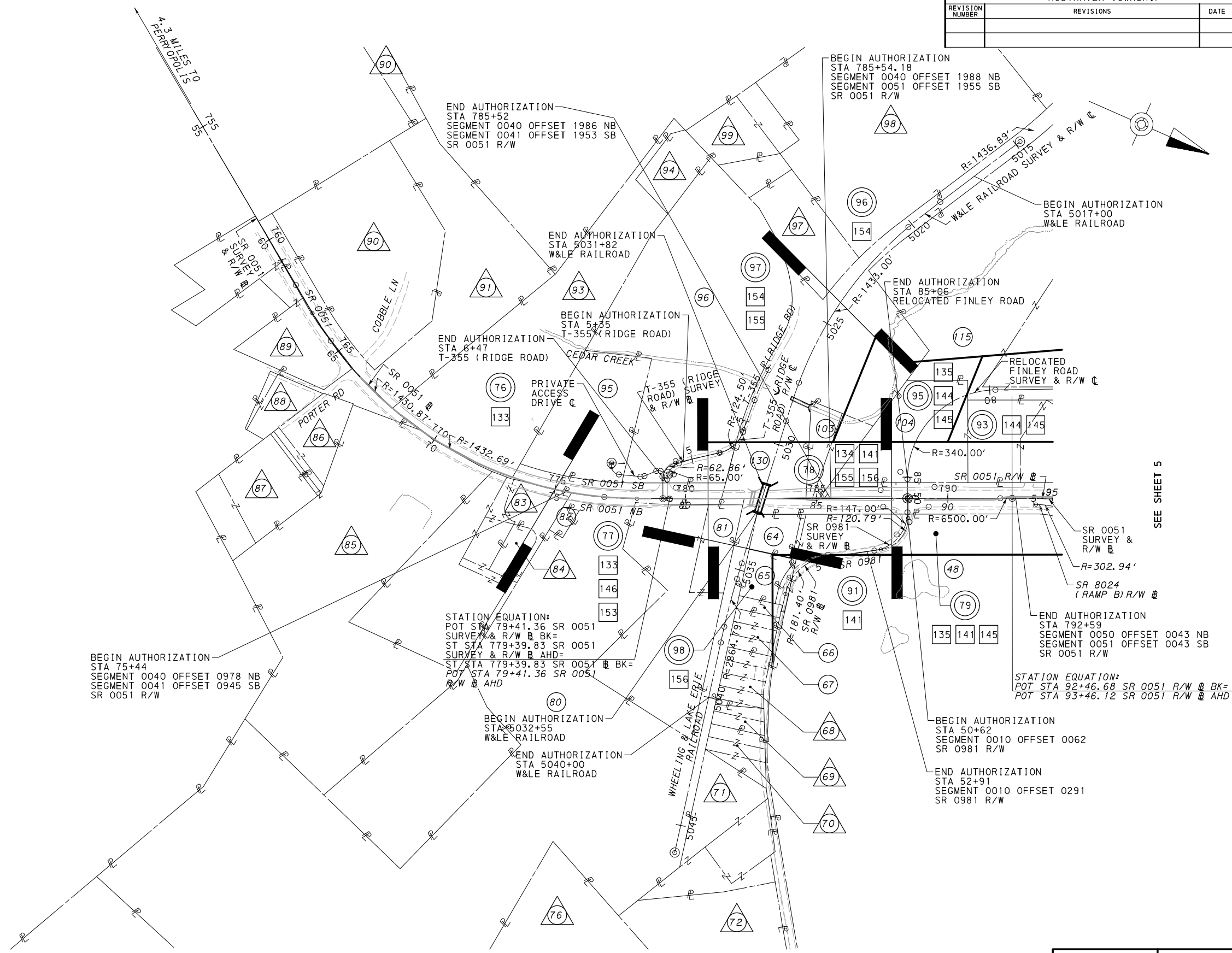
Mr. Garrett Henry
Columbia Gas of PA
1452 Gun Club Road
Uniontown, PA 15401
ghenry@nisource.com

Mr. Eric Teeter
Atlantic Broadband
320 Bailey Ave
Uniontown, PA 15401
eteeter@atlanticbb.com

Dated this 8th Day of July 2021


Thomas A. Ryczek Jr.
District Grade Crossing Administrator

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	7 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	



BEGIN AUTHORIZATION
 STA 75+44
 SEGMENT 0040 OFFSET 0978 NB
 SEGMENT 0041 OFFSET 0945 SB
 SR 0051 R/W

STATION EQUATION:
 POT STA 79+41.36 SR 0051
 SURVEY & R/W BK=
 ST STA 779+39.83 SR 0051
 SURVEY & R/W AHD=
 ST STA 779+39.83 SR 0051 BK=
 POT STA 79+41.36 SR 0051
 R/W AHD

STATION EQUATION:
 POT STA 92+46.68 SR 0051 R/W BK=
 POT STA 93+46.12 SR 0051 R/W AHD

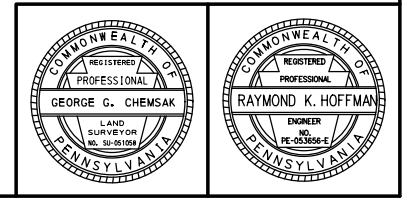
SEE SHEET 5

LEGEND

- PLAN
- PROFILE
- PARCEL IDENTIFICATION NUMBER
- PARCEL IDENTIFICATION NUMBER - NO TAKE

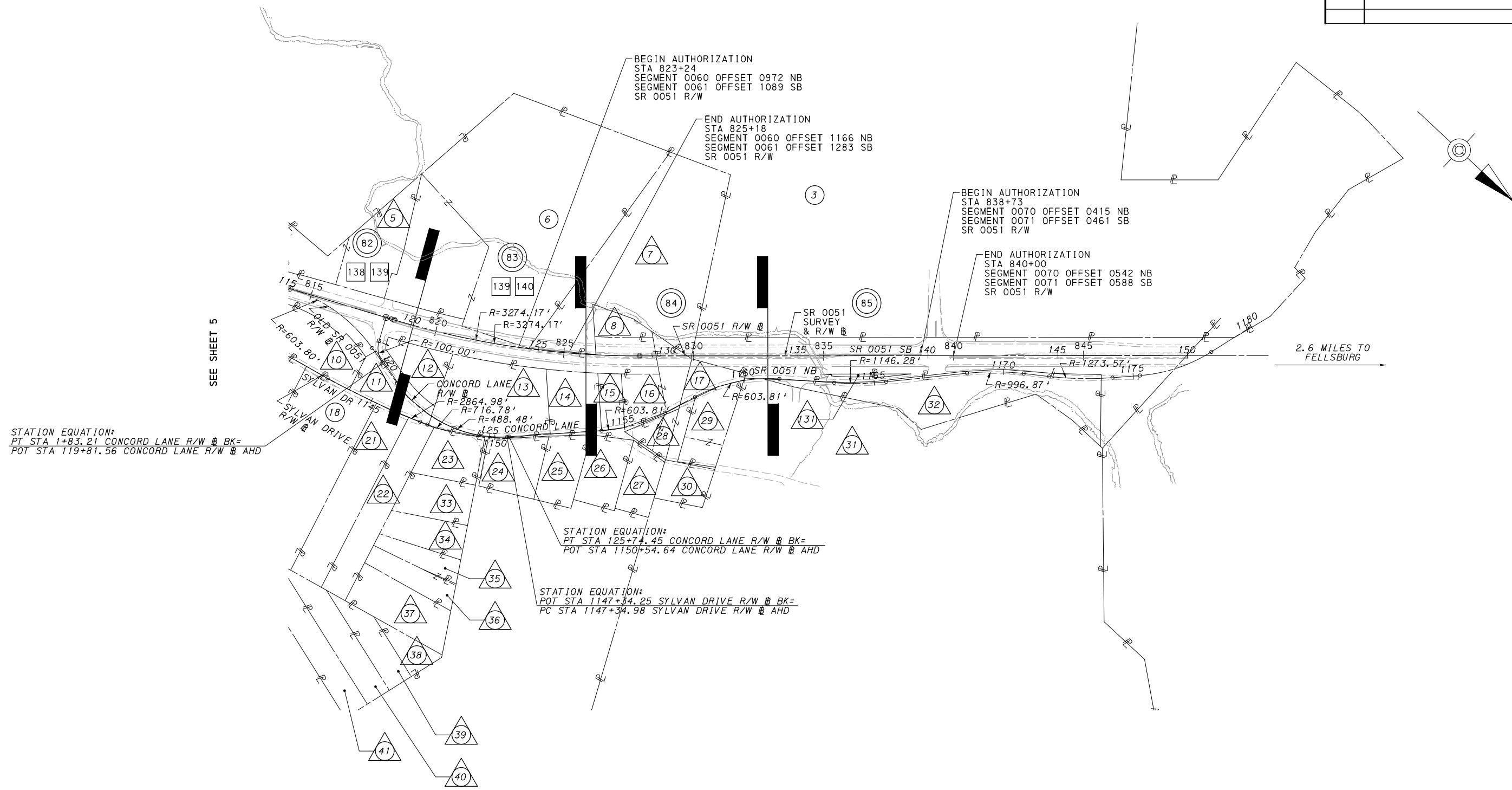
NOTE: FOR LIST OF PROPERTY OWNERS SEE SHEET 2

INDEX SHEET
 0 200 400 FEET



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 PLOT DATE: 3/16/2021
 PLOT TIME: 3:17:10 PM
 PLOT BY: gchemsak
 PLOT DEVICE: PLOTTER
 PLOT SCALE: 1:1
 PLOT SHEET: 7 OF 224
 PLOT TITLED: 1216.dwg
 PLOT STATUS: SUCCESS

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	8 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	



STATION EQUATION:
 PT STA 1+83.21 CONCORD LANE R/W BK=
 POT STA 119+81.56 CONCORD LANE R/W AHD





STATION EQUATION:
 PT STA 125+74.45 CONCORD LANE R/W BK=
 POT STA 1150+54.64 CONCORD LANE R/W AHD

STATION EQUATION:
 POT STA 1147+34.25 SYLVAN DRIVE R/W BK=
 PC STA 1147+34.98 SYLVAN DRIVE R/W AHD

SEE SHEET 5

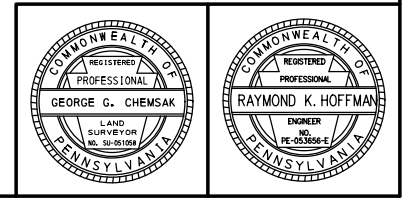
2.6 MILES TO
 FELLSBURG

LEGEND

-  PLAN
-  PROFILE
-  PARCEL IDENTIFICATION NUMBER
-  PARCEL IDENTIFICATION NUMBER - NO TAKE

NOTE: FOR LIST OF PROPERTY OWNERS SEE SHEET 2

INDEX SHEET
 0 200 400 FEET



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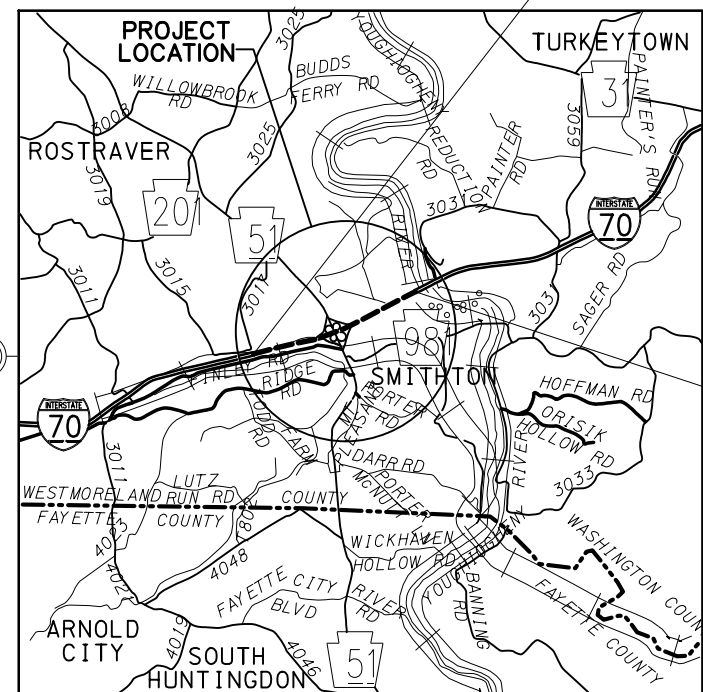
LIST OF PUBLIC UTILITIES

—CTV—	COMCAST	—T—	VERIZON PA, LLC
—CTVU—	1530 CHARTIERS AVE PITTSBURGH, PA 15204 ATTN: TIM GAZDA PHONE: 412-875-1388	—TU—	41 EAST BEAU STREET WASHINGTON, PA 15301 ATTN: KEITH FOWLER PHONE: 724-229-0695
—E—	WEST PENN POWER (WPP)	—T—	EXTENET SYSTEM INC.
—EU—	401 COYLE CURTAIN ROAD MONONGAHELA, PA 15063 ATTN: CHRISTINE SMITH PHONE: 724-489-3237	—T—	3030 WARRENVILLE ROAD LISLE, IL 60532 ATTN: JOSEPH BZOREK PHONE: 724-355-4208
—G—	COLUMBIA GAS OF PA	—W—	MUNICIPAL AUTHORITY OF WESTMORELAND COUNTY (MAWC)
	1452 GUN CLUB ROAD UNIONTOWN, PA 15401 ATTN: JOSEPH LAPKOWICZ PHONE: 724-415-9293		P.O. BOX 730 GREENSBURG, PA 15601 ATTN: DON GUERRA PHONE: 724-755-5951
—S—	ROSTRAVER TOWNSHIP	—CTV—	ATLANTIC BROADBAND
—S—	SEWAGE AUTHORITY (RTSA)	—CTVU—	320 BAILEY AVENUE UNIONTOWN, PA 15401 ATTN: ERIC TEETER PHONE: 724-439-1233
	1744 ROSTRAVER ROAD BELLE VERNON, PA 15012 ATTN: ANN C. SCOTT PHONE: 724-930-7667		
—S—	KLH ENGINEERS		
—S—	5173 CAMPBELLS RUN ROAD PITTSBURGH, PA 15205 ATTN: DAVID A. COLDREN PHONE: 412-494-0510 X112		

PENNSYLVANIA ONE CALL TOLL FREE TELEPHONE NO. 1-800-242-1776
SERIAL NO. 201702002288 (ROSTRAVER TOWNSHIP)
SERIAL NO. 20170200287 (SOUTH HUNTINGDON TOWNSHIP)

LIMIT OF ESTABLISHMENT AND AUTHORIZATION
STA 268+88
SEGMENT 0454 OFFSET 0382 EB
SEGMENT 0455 OFFSET 0382 WB
SR 0070 SECTION E10 R/W
ROSTRAVER TOWNSHIP
WESTMORELAND COUNTY

LIMIT OF ESTABLISHMENT AND AUTHORIZATION
STA 366+53
SEGMENT 0474 OFFSET 0204 EB
SEGMENT 0475 OFFSET 0204 WB
SR 0070 SECTION E10 R/W
ROSTRAVER TOWNSHIP
WESTMORELAND COUNTY



LEGEND

-----	PROJECT LOCATION
=====	INTERSTATE HIGHWAYS
=====	STATE HIGHWAYS
-----	LOCAL ROADS

LIST OF EQUALITIES

POT STA 79+41.36 SR 0051 SURVEY & R/W BK=
ST STA 779+39.83 SR 0051 SURVEY & R/W BK= AHD
POT STA 79+41.36 SR 0051 R/W BK=
ST STA 779+39.83 SR 0051 BK= AHD

PT STA 1+83.21 CONCORD LANE R/W BK=
POT STA 119+81.56 CONCORD LANE R/W BK= AHD

PT STA 125+74.45 CONCORD LANE R/W BK=
POT STA 1150+54.64 CONCORD LANE R/W BK= AHD

POT STA 302+57.97 SR 0070 R/W BK=
PC STA 302+59.27 SR 0070 R/W BK= AHD

POT STA 92+46.68 SR 0051 R/W BK=
POT STA 93+46.12 SR 0051 R/W BK= AHD

POT STA 1147+34.25 SYLVAN DRIVE R/W BK=
PC STA 1147+34.98 SYLVAN DRIVE R/W BK= AHD

PT STA 330+46.11 SR 0070 R/W BK=
POT STA 330+45.93 SR 0070 R/W BK= AHD

POT STA 378+19.07 SR 0070 R/W BK, 0.14' LT=
POT STA 378+30.00 SR 0070 R/W BK= AHD

TABULATION OF AUTHORIZATION LENGTH

SR 0070	STA 268+88	TO STA 309+95	= 4107	FT = 0.778	MI
SR 0070	STA 325+28	TO STA 366+53	= 4125	FT = 0.781	MI
SR 0051	STA 75+44	TO STA 785+52	= 1009.53	FT = 0.191	MI
SR 0051	STA 785+54.18	TO STA 792+59	= 704.82	FT = 0.133	MI
SR 0051	STA 794+77	TO STA 796+33	= 156	FT = 0.030	MI
SR 0051	STA 823+24	TO STA 825+18	= 194	FT = 0.037	MI
SR 0051	STA 838+73	TO STA 840+00	= 127	FT = 0.024	MI
SR 0981	STA 50+62	TO STA 52+91	= 229	FT = 0.043	MI
SR 8024 (RAMP B)	STA 207+72	TO STA 214+09	= 637	FT = 0.121	MI
SR 8024 (RAMP C)	STA 304+35	TO STA 309+31	= 496	FT = 0.094	MI
SR 8024 (RAMP D)	STA 406+31	TO STA 412+20	= 589	FT = 0.112	MI
SMITH ROAD	STA 500+41	TO STA 511+96	= 1155	FT = 0.219	MI
T-355 (RIDGE RD)	STA 5+35	TO STA 6+47	= 112	FT = 0.021	MI
REL FINLEY RD	STA 70+45	TO STA 85+06	= 1461	FT = 0.277	MI
FINLEY RD	STA 60+43	TO STA 64+10	= 367	FT = 0.069	MI
W MCCLAIN RD	STA 802+98	TO STA 804+14	= 116	FT = 0.022	MI
W&L RAILROAD	STA 5017+00	TO STA 5031+82	= 1482	FT = 0.281	MI
W&L RAILROAD	STA 5032+55	TO STA 5040+00	= 745	FT = 0.141	MI
AUTHORIZATION LENGTH = 17812.35 FT = 3.374 MI					

TABULATION OF OVERALL LENGTH

SR 0070	STA 268+88	TO STA 366+53	= 9765	FT = 1.849	MI
SR 0051	STA 75+44	TO STA 840+00	= 6457.53	FT = 1.223	MI
SR 0981	STA 50+62	TO STA 52+91	= 229	FT = 0.043	MI
SR 8024 (RAMP B)	STA 207+72	TO STA 214+09	= 637	FT = 0.121	MI
SR 8024 (RAMP C)	STA 304+35	TO STA 309+31	= 496	FT = 0.094	MI
SR 8024 (RAMP D)	STA 406+31	TO STA 412+20	= 589	FT = 0.112	MI
SMITH ROAD	STA 500+41	TO STA 511+96	= 1155	FT = 0.219	MI
T-355 (RIDGE RD)	STA 5+35	TO STA 6+47	= 112	FT = 0.021	MI
REL FINLEY RD	STA 70+45	TO STA 85+06	= 1461	FT = 0.277	MI
FINLEY RD	STA 60+43	TO STA 64+10	= 367	FT = 0.069	MI
W MCCLAIN RD	STA 802+98	TO STA 804+14	= 116	FT = 0.022	MI
W&L RAILROAD	STA 5017+00	TO STA 5040+00	= 2300	FT = 0.436	MI
OVERALL LENGTH = 23684.53 FT = 4.486 MI					

GENERAL NOTES-CON'T.

THE LEGAL RIGHT-OF-WAY ON FORMER RIDGE ROAD FROM THE WESTERLY RIGHT-OF-WAY OF SR 0051, SAID POINT BEING LEFT OF AND OPPOSITE STATION 781+70, SR 0051 SURVEY & R/W BK TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF RIDGE ROAD RIGHT OF AND OPPOSITE STATION 4+02, RIDGE ROAD R/W BK AND FROM STATION 5+00.00 RW BK TO A POINT APPROXIMATELY 700 FEET WESTERLY IS 33 FEET BASED ON PETITION, APPROVED ON SEPTEMBER 2, 1930, WESTMORELAND COUNTY COURT OF QUARTER SESSIONS, AUGUST TERM, 1930, FILED IN WESTMORELAND COUNTY RECORDER OF DEEDS OFFICE IN ROAD DOCKET (BOOK) 7, PAGES 281-282.

THE LEGAL RIGHT-OF-WAY ON WEST MCCLAIN ROAD, FORMERLY LR 64187, FROM STATION 802+98.00 TO STATION 804+14.00 IS 33 FEET, BASED ON THE ACT OF MAY 1, 1933, P.L. 103, SECTION 1105, AS AMENDED. IT HAS BEEN OPENED AND MAINTAINED FOR TWENTY-ONE (21) YEARS OR MORE BY ROSTRAVER TOWNSHIP, THEN A SECOND CLASS TOWNSHIP. ROSTRAVER TOWNSHIP BECAME A FIRST CLASS TOWNSHIP IN 1958. THERE IS NO PUBLIC RECORD OF ANY OTHER WIDTH.

THE LEGAL RIGHT-OF-WAY ON SMITH ROAD, FORMERLY LR 64144, SECTION LA, SERVICE ROAD "T", FROM STATION 40+00 TO STATION 55+64 IS 33 FEET, BASED ON THE ACT OF MAY 1, 1933, P.L. 103, SECTION 1105, AS AMENDED. IT HAS BEEN OPENED AND MAINTAINED FOR TWENTY-ONE (21) YEARS OR MORE BY ROSTRAVER TOWNSHIP, THEN A SECOND CLASS TOWNSHIP. ROSTRAVER TOWNSHIP BECAME A FIRST CLASS TOWNSHIP IN 1958. THERE IS NO PUBLIC RECORD OF ANY OTHER WIDTH.

THE LEGAL RIGHT-OF-WAY ON SMITH ROAD, FORMERLY LR 64144, SECTION LA, SERVICE ROAD "T", FROM STATION 55+64 TO STATION 56+95 IS VARIABLE, FROM STATION 56+95 TO STATION 59+07 IS 40 FEET AND FROM STATION 59+07 TO STATION 59+20 IS VARIABLE BASED ON DRAWINGS FOR CONSTRUCTION BY THE STATE HIGHWAY AND BRIDGE AUTHORITY, ESTABLISHMENT OF LIMITED ACCESS HIGHWAY AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE 64144 SEC. LA SIGNED ON SEPTEMBER 10, 1957 AND RECORDED ON MARCH 4, 1958 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 32, PAGES 1-118. REVISED AND RE-RECORDED ON MARCH 20, 1962 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 40, PAGE 1.

THE LEGAL RIGHT-OF-WAY ON CONCORD LANE, FORMERLY LR 288, FROM STATION 0+69.52 TO STATION 1+29.10 IS 30 FEET ON THE LEFT, BASED ON DRAWINGS FOR CONSTRUCTION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE NO. 288, SECTION NO. 15 & 7, SIGNED ON AUGUST 14, 1959 AND RECORDED ON MAY 2, 1961 IN THE FAYETTE COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 7, PAGE 10 AND RECORDED ON MAY 3, 1961 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 37, PAGE 1. REVISED AND RE-RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	9 OF 224
ROSTRAVER AND SOUTH HUNTINGDON TOWNSHIPS				
REVISION NUMBER	REVISIONS	DATE	BY	

GENERAL NOTES

THE LEGAL RIGHT-OF-WAY ON SR 0070, FORMERLY LR 64144, FROM STATION 268+88.00 TO STATION 305+51.41 IS 122 FEET, FROM STATION 305+51.41 TO STATION 305+93.68 IS 61 FEET ON THE LEFT, FROM STATION 305+93.68 TO STATION 323+32.20 IS VARIABLE ON THE LEFT, AND FROM STATION 305+51.41 TO STATION 324+34.15 IS VARIABLE ON THE RIGHT BASED ON DRAWINGS FOR CONSTRUCTION BY THE STATE HIGHWAY AND BRIDGE AUTHORITY, ESTABLISHMENT OF LIMITED ACCESS HIGHWAY AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE 64144 SEC. LA SIGNED ON SEPTEMBER 10, 1957 AND RECORDED ON MARCH 4, 1958 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 32, PAGES 1-118. REVISED AND RE-RECORDED ON MARCH 20, 1962 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 40, PAGE 1.

THE LEGAL RIGHT-OF-WAY ON SR 0070, FORMERLY LR 64144, FROM STATION 323+32.20 TO STATION 324+34.15 IS 60 FEET ON THE LEFT, AND FROM STATION 324+34.15 TO STATION 366+53.00 IS 120 FEET, BASED ON DRAWINGS FOR CONSTRUCTION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE NO. 64144, SECTION NO. 7, SIGNED ON OCTOBER 11, 1955 AND RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

THE LEGAL RIGHT-OF-WAY ON SR 0051, FORMERLY LR 288, FROM STATION 50+00.00 TO STATION 79+35.00 IS 120 FEET, FROM STATION 79+35.00 TO STATION 82+30.72 IS 60 FEET ON THE LEFT, FROM STATION 82+30.72 TO STATION 82+38.42 IS VARIABLE ON THE LEFT, FROM STATION 82+38.42 TO STATION 82+92.15 IS 25 FEET ON THE LEFT, FROM STATION 82+92.15 TO STATION 82+99.85 IS VARIABLE ON THE LEFT, FROM STATION 79+35.00 TO STATION 82+17.51 IS 36 FEET ON THE RIGHT, FROM STATION 82+17.51 TO STATION 82+18.61 IS VARIABLE ON THE RIGHT, FROM STATION 82+18.61 TO STATION 82+73.45 IS 30 FEET ON THE RIGHT, FROM STATION 82+73.45 TO STATION 82+80.05 IS VARIABLE ON THE RIGHT, FROM STATION 82+80.05 TO STATION 82+99.85 IS 60 FEET ON THE RIGHT, FROM STATION 82+99.85 TO STATION 88+50.00 IS 120 FEET, FROM STATION 118+68.00 TO STATION 119+34.09 IS 60 FEET ON THE RIGHT AND FROM STATION 119+34.09 TO STATION 161+00.00 IS 140 FEET BASED ON DRAWINGS FOR CONSTRUCTION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE NO. 288, SECTION NO. 15 & 7, SIGNED ON AUGUST 14, 1959 AND RECORDED ON MAY 2, 1961 IN THE FAYETTE COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 7, PAGE 10 AND RECORDED ON MAY 3, 1961 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 37, PAGE 1. REVISED AND RE-RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

THE LEGAL RIGHT-OF-WAY ON SR 0051, FORMERLY LR 288, FROM STATION 88+50.000 TO STATION 94+37.36 IS 120 FEET, FROM STATION 94+37.36 TO STATION 97+38.83 IS 60 FEET ON THE LEFT, FROM STATION 97+38.83 TO STATION 113+55.06 IS VARIABLE ON THE LEFT, FROM STATION 113+55.06 TO STATION 115+20.00 IS 60 FEET ON THE LEFT, FROM STATION 115+20.00 TO STATION 119+34.09 IS VARIABLE ON THE LEFT, FROM STATION 94+37.36 TO STATION 113+09.80 IS VARIABLE ON THE RIGHT, FROM STATION 113+09.80 TO STATION 115+11.33 IS 60 FEET ON THE RIGHT, AND FROM STATION 115+11.33 TO STATION 118+68.00 IS VARIABLE ON THE RIGHT, BASED ON FINAL DRAWINGS FOR CONSTRUCTION BY THE STATE HIGHWAY AND BRIDGE AUTHORITY, APPROPRIATION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE 288, SECTION 6, SIGNED ON APRIL 13, 1954 AND RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

THE LEGAL RIGHT-OF-WAY ON SR 0981, FORMERLY LR 64144, FROM STATION 0+60.00 TO STATION 7+50 IS 60 FEET BASED ON DRAWINGS FOR CONSTRUCTION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE NO. 288, SECTION NO. 15 & 7, SIGNED ON AUGUST 14, 1959 AND RECORDED ON MAY 2, 1961 IN THE FAYETTE COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 7, PAGE 10 AND RECORDED ON MAY 3, 1961 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 37, PAGE 1. REVISED AND RE-RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

THE LEGAL RIGHT-OF-WAY ON FINLEY ROAD, FORMERLY LR 64144, SECTION LA, SERVICE ROAD "S", FROM STATION 64+00.00 TO STATION 87+59.20 IS 40 FEET, FROM STATION 87+59.20 TO STATION 88+70.80 IS VARIABLE, AND FROM STATION 88+70.80 TO STATION 90+00.00 IS 40 FEET BASED ON DRAWINGS FOR CONSTRUCTION BY THE STATE HIGHWAY AND BRIDGE AUTHORITY, ESTABLISHMENT OF LIMITED ACCESS HIGHWAY AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE 64144 SEC. LA SIGNED ON SEPTEMBER 10, 1957 AND RECORDED ON MARCH 4, 1958 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 32, PAGES 1-118. REVISED AND RE-RECORDED ON MARCH 20, 1962 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 40, PAGE 1.

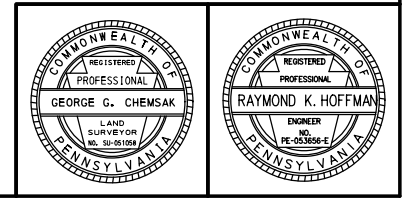
THE LEGAL RIGHT-OF-WAY ON FINLEY ROAD, FORMERLY LR 64144, FROM STATION 90+00.00 TO STATION 113+44.99, AND FROM STATION 118+37.40 TO STATION 130+72.54 IS 33 FEET, AND FROM STATION 130+72.54 TO STATION 130+77.96 IS 16.5 FEET ON THE RIGHT BASED ON THE ACT OF MAY 1, 1933, P.L. 103, SECTION 1105, AS AMENDED. IT HAS BEEN OPENED AND MAINTAINED FOR TWENTY-ONE (21) YEARS OR MORE BY ROSTRAVER TOWNSHIP, THEN A SECOND CLASS TOWNSHIP. ROSTRAVER TOWNSHIP BECAME A FIRST CLASS TOWNSHIP IN 1958. THERE IS NO PUBLIC RECORD OF ANY OTHER WIDTH.

THE LEGAL RIGHT-OF-WAY ON FINLEY ROAD, FORMERLY LR 64144, FROM STATION 113+44.99 TO STATION 118+37.40 IS VARIABLE BASED ON DRAWINGS AUTHORIZING ACQUISITION OF RIGHT-OF-WAY FOR FINLEY ROAD, SIGNED ON AUGUST 26, 1992 AND RECORDED ON FEBRUARY 19, 1993 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN PLAN BOOK 59, PAGE 544.

THE LEGAL RIGHT-OF-WAY ON FINLEY ROAD, FORMERLY LR 64144, FROM STATION 130+77.96 TO STATION 130+97.11 IS 20 FEET ON THE RIGHT, BASED ON FINAL DRAWINGS FOR CONSTRUCTION BY THE STATE HIGHWAY AND BRIDGE AUTHORITY, APPROPRIATION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE 64144, SECTION 6, SIGNED ON APRIL 13, 1954 AND RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

THE LEGAL RIGHT-OF-WAY ON RIDGE ROAD FROM STATION 0+60.00 RW BK TO STATION 5+00.00 RW BK IS 40 FEET BASED ON DRAWINGS FOR CONSTRUCTION AND CONDEMNATION OF RIGHT OF WAY FOR ROUTE NO. 288 SECTION NO. 15 & 7, SIGNED ON AUGUST 14, 1959 AND RECORDED ON MAY 2, 1961 IN THE FAYETTE COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 7, PAGE 10 AND RECORDED ON MAY 3, 1961 IN THE WESTMORELAND COUNTY RECORDER'S OFFICE IN HIGHWAY PLAN BOOK 37, PAGE 1. REVISED AND RE-RECORDED IN THE WESTMORELAND COUNTY RECORDER'S OFFICE.

**LOCATION MAP/
GENERAL NOTES**



FILE: P:\01\pwr1-pw\01\Documents\pwr\01\pwr1-pw\01\CIVIL\RMWAY\COMP_01\CIVIL\RMWAY\PC Submittal\01\SR70-E10 ROW Locmap-PUC.dgn
DATE: 7/6/2021 1:04:00 PM

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	97 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	

EXISTING STRUCTURE DATA

W. & L. E. RAILROAD OVER CEDAR CREEK
 STA. 5028+16.49
 CONCRETE BOX CULVERT
 SPAN: 10'-0"
 LENGTH: 90'-4"
 UNDERCLEARANCE: 10'-0"
 (TO REMAIN)

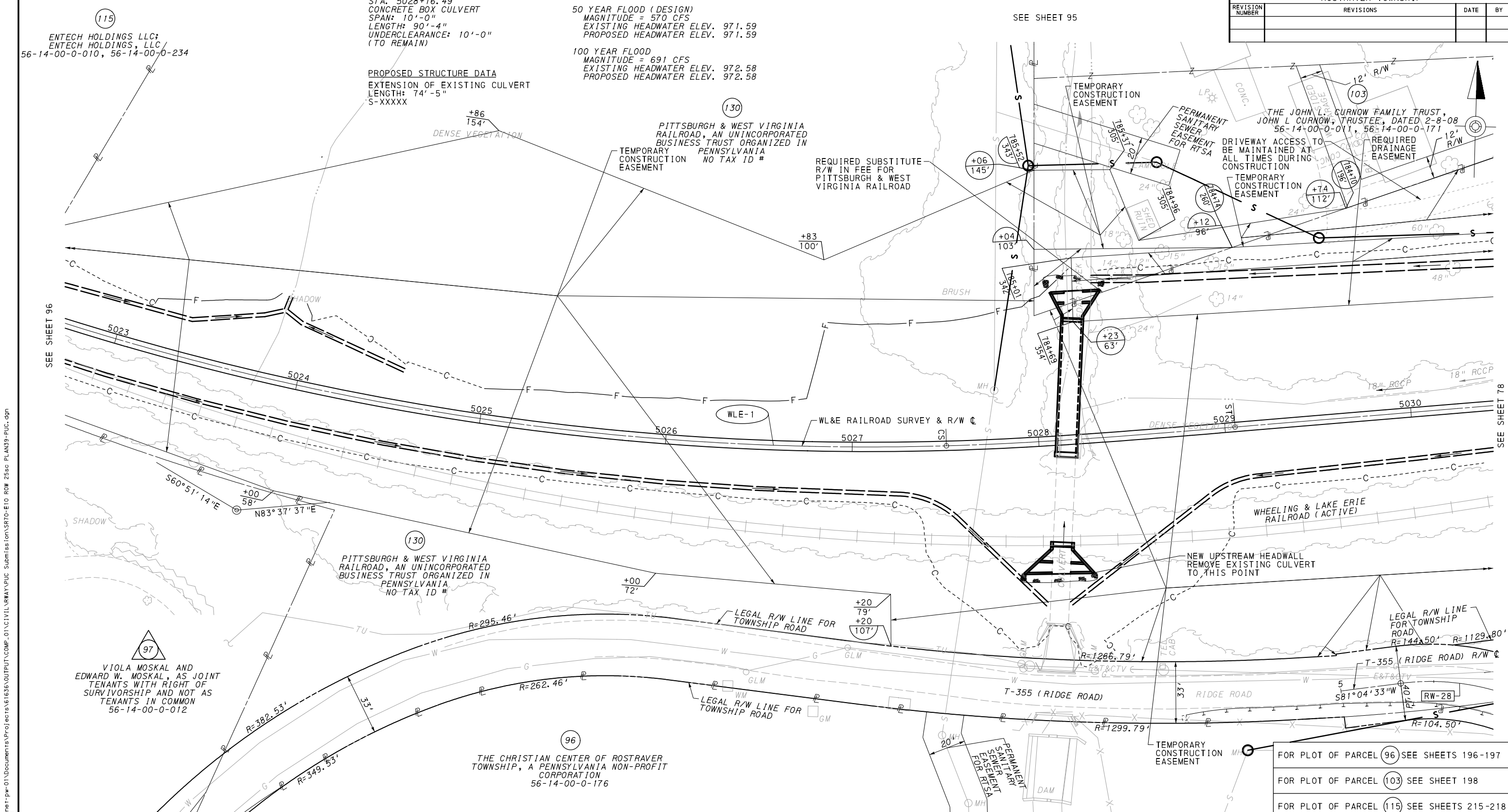
HYDRAULIC DATA:

DRAINAGE AREA: 1.33 SQ. MI.
 50 YEAR FLOOD (DESIGN)
 MAGNITUDE = 570 CFS
 EXISTING HEADWATER ELEV. 971.59
 PROPOSED HEADWATER ELEV. 971.59
 100 YEAR FLOOD
 MAGNITUDE = 691 CFS
 EXISTING HEADWATER ELEV. 972.58
 PROPOSED HEADWATER ELEV. 972.58

PROPOSED STRUCTURE DATA

EXTENSION OF EXISTING CULVERT
 LENGTH: 74'-5"
 S-XXXXX

SEE SHEET 95



115
 ENTECH HOLDINGS LLC;
 ENTECH HOLDINGS, LLC
 56-14-00-0-010, 56-14-00-0-234

130
 PITTSBURGH & WEST VIRGINIA
 RAILROAD, AN UNINCORPORATED
 BUSINESS TRUST ORGANIZED IN
 PENNSYLVANIA
 NO TAX ID #

130
 PITTSBURGH & WEST VIRGINIA
 RAILROAD, AN UNINCORPORATED
 BUSINESS TRUST ORGANIZED IN
 PENNSYLVANIA
 NO TAX ID #

97
 VIOLA MOSKAL AND
 EDWARD W. MOSKAL, AS JOINT
 TENANTS WITH RIGHT OF
 SURVIVORSHIP AND NOT AS
 TENANTS IN COMMON
 56-14-00-0-012

96
 THE CHRISTIAN CENTER OF ROSTRAVER
 TOWNSHIP, A PENNSYLVANIA NON-PROFIT
 CORPORATION
 56-14-00-0-176

THE JOHN L. CURNOW FAMILY TRUST,
 JOHN L. CURNOW, TRUSTEE, DATED 2-8-08
 56-14-00-0-011, 56-14-00-0-171

DRAINAGE EASEMENT. AN EASEMENT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND ALTERATION OF HIGHWAY DRAINAGE FACILITIES. THE EASEMENT SHALL NOT PREVENT THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO THE NECESSARY FLOW OF WATER. HOWEVER, NO STRUCTURE OF ANY KIND MAY BE ERRECTED IN THE AREA, NOR MAY ANY PIPE OR DITCH BE CONNECTED TO THE DEPARTMENT'S PIPE OR DITCH WITHOUT ADVANCED WRITTEN APPROVAL BY THE DEPARTMENT OF TRANSPORTATION.

TEMPORARY CONSTRUCTION EASEMENT. AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY THE DEPARTMENT.

PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA. PRIVATE PROPERTY LINES WERE NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.

FOR W&LE RAILROAD PROFILE SEE SHEETS 154 & 155
FOR GEOMETRY SEE SHEETS 15 - 24
FOR REFERENCE CIRCLES SEE SHEET 14

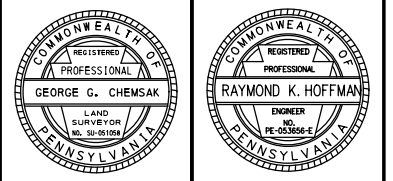
- LEGEND**
- RS-1 CURVE DATA REFERENCE
 - RW-1 RIGHT-OF-WAY CURVE DATA REFERENCE
 - C--- CUT LINE
 - F— FILL LINE

PLAN SHEET

0 25 50 FEET

SURVEY BOOK NO. 29874

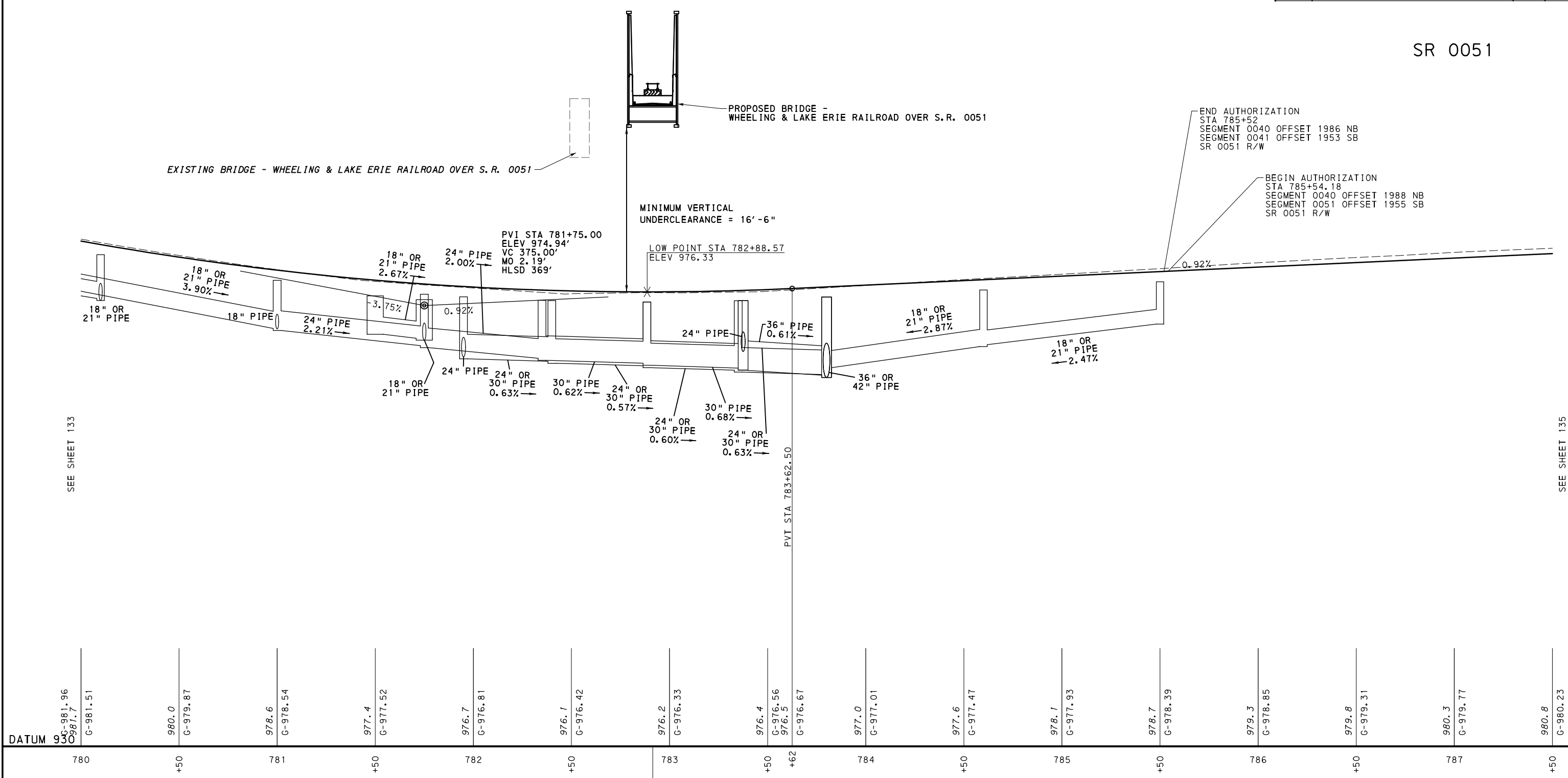
FOR PLOT OF PARCEL 96 SEE SHEETS 196-197
FOR PLOT OF PARCEL 103 SEE SHEET 198
FOR PLOT OF PARCEL 115 SEE SHEETS 215-218
FOR PLOT OF PARCEL 130 SEE SHEETS 220-224



FILE: P:\GIS\Projects\12-0 Westmoreland\12-0070\12-0070-RW-1\12-0070-RW-1-PLAN97-PLN.dgn
 DATE: 7/6/2021 11:55:46 AM

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	134 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	

SR 0051

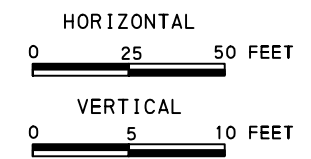


SEE SHEET 133

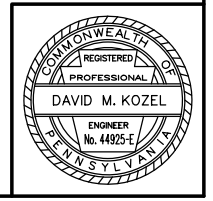
SEE SHEET 135

POT STA 782+91.42 SR 0051 SURVEY & R/W #=
POT STA 5032+14.54 W&E RAILROAD SURVEY & R/W C

PROFILE

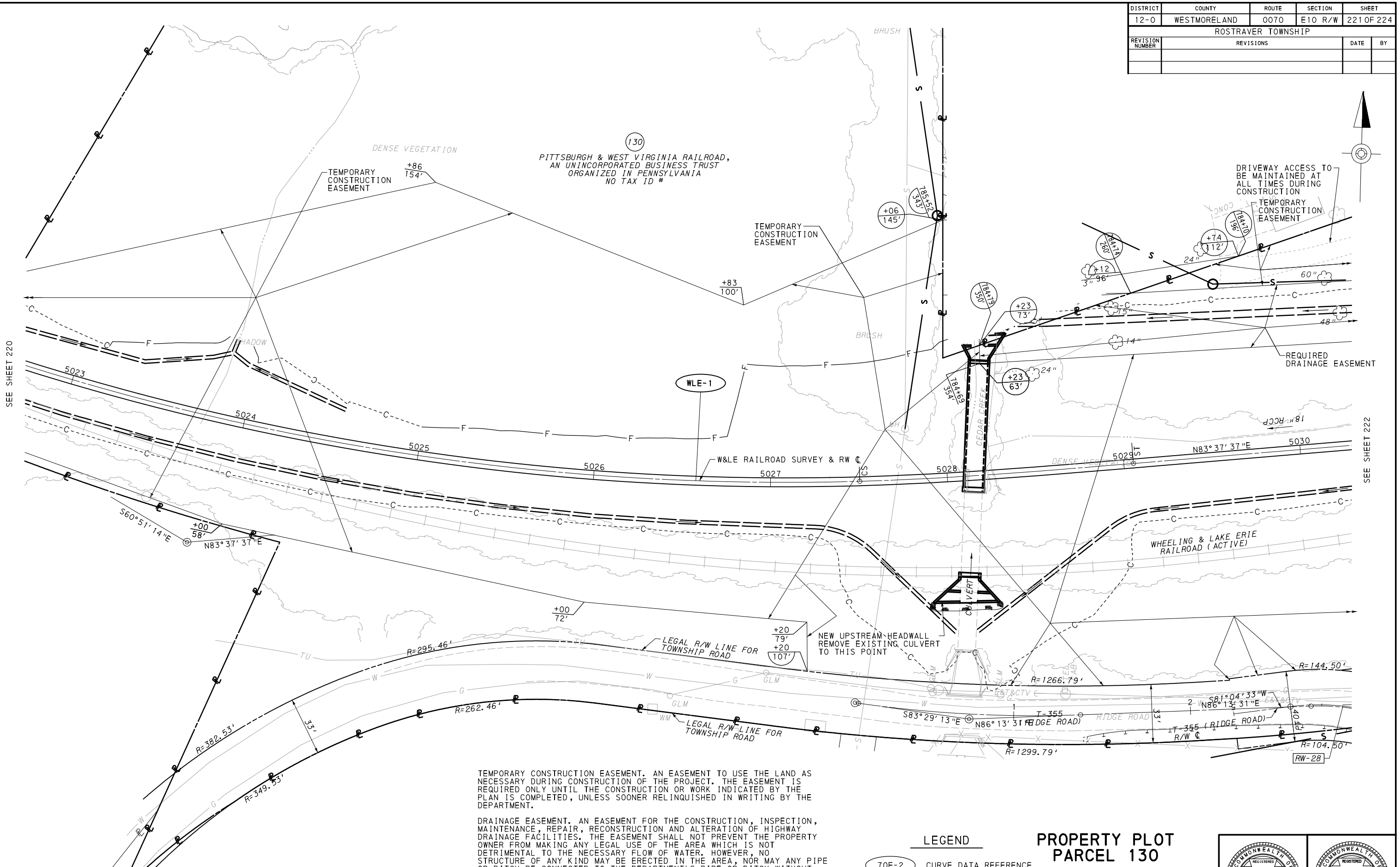
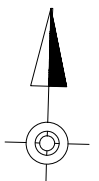


FOR SR 0051 PLAN SEE SHEET 78



FILE: P:\gfrnet-pw-bent1\p2\com\gfrnet-pw-01\Documents\Projects\61636\OUTPUT\COMP-01\CIVIL\RWAY\PUJ_Submission\SR70-E10 ROW Prt-SR51-1-PUJ.dgn
DATE: 7/6/2021 1:30:24 PM

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	221 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	



TEMPORARY CONSTRUCTION EASEMENT. AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY THE DEPARTMENT.

DRAINAGE EASEMENT. AN EASEMENT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND ALTERATION OF HIGHWAY DRAINAGE FACILITIES. THE EASEMENT SHALL NOT PREVENT THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO THE NECESSARY FLOW OF WATER. HOWEVER, NO STRUCTURE OF ANY KIND MAY BE ERRECTED IN THE AREA, NOR MAY ANY PIPE OR DITCH BE CONNECTED TO THE DEPARTMENT'S PIPE OR DITCH WITHOUT ADVANCED WRITTEN APPROVAL BY THE DEPARTMENT OF TRANSPORTATION.

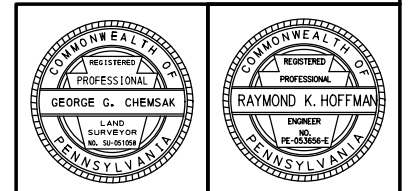
LEGEND

	CURVE DATA REFERENCE
	RIGHT-OF-WAY CURVE DATA REFERENCE
	CUT LINE
	FILL LINE

PROPERTY PLOT PARCEL 130

SHEET 2 OF 5

0 25 50 FEET



PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA. PRIVATE PROPERTY LINES WERE NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.

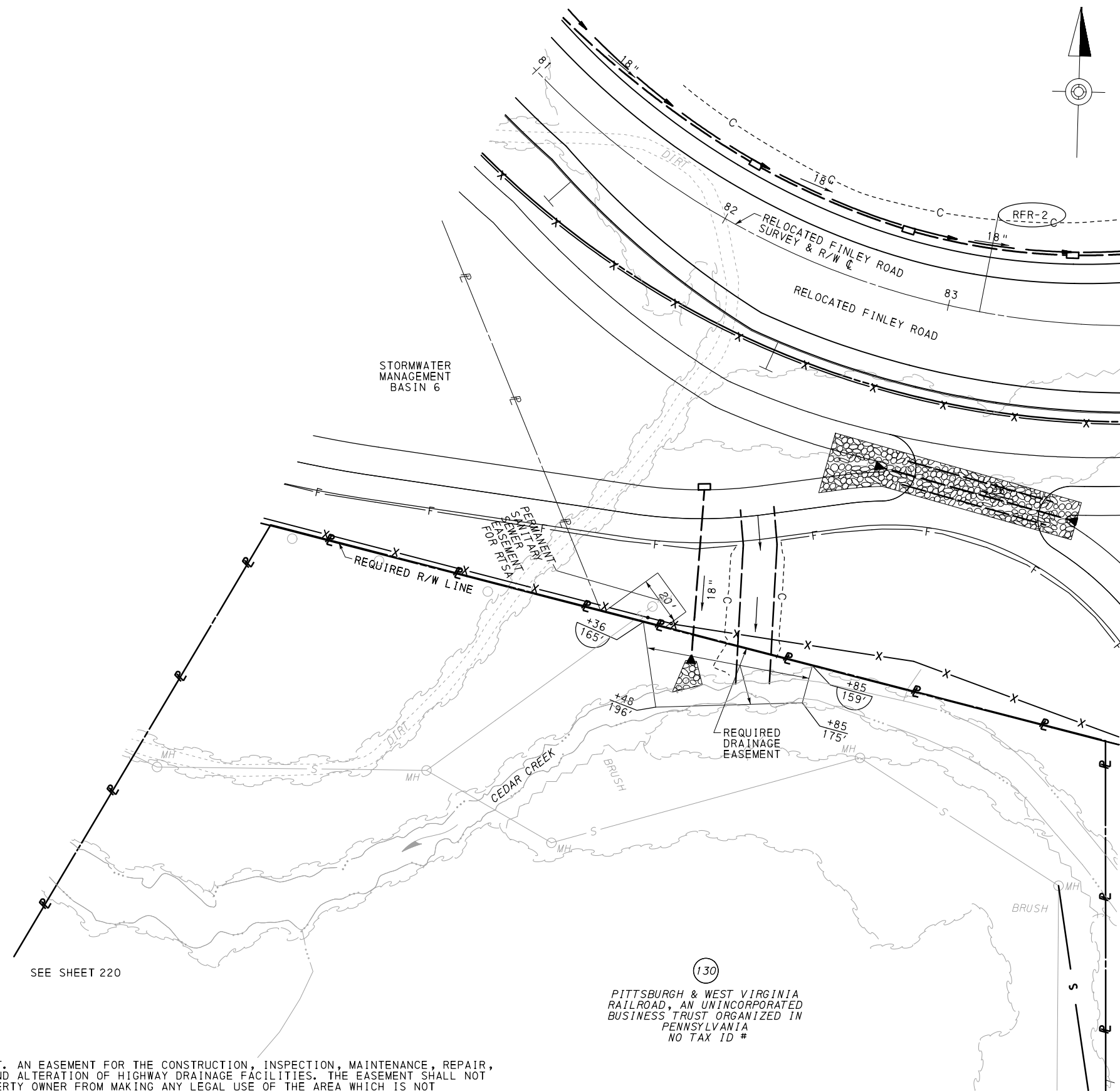
THIS PROPERTY PLOT PLAN IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

FOR RIGHT-OF-WAY CLAIM BLOCK SEE SHEET 220

FOR GEOMETRY SEE SHEETS 15 - 24

FILE: P:\Projects\130\130.dwg DATE: 7/6/2021 TIME: 6:01:57 PM
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 DRAWING: 130.dwg
 USER: GCH
 PLOT: 130.dwg
 PLOT DATE: 7/6/2021 6:01:57 PM
 PLOT TIME: 6:01:57 PM
 PLOT USER: GCH
 PLOT DEVICE: PLOTTER

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	224 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	



SEE SHEET 220

(130)
 PITTSBURGH & WEST VIRGINIA
 RAILROAD, AN UNINCORPORATED
 BUSINESS TRUST ORGANIZED IN
 PENNSYLVANIA
 NO TAX ID #

SEE SHEET 221

FOR RIGHT-OF-WAY CLAIM BLOCK SEE SHEET 220
 FOR GEOMETRY SEE SHEETS 15 - 24

DRAINAGE EASEMENT. AN EASEMENT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND ALTERATION OF HIGHWAY DRAINAGE FACILITIES. THE EASEMENT SHALL NOT PREVENT THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO THE NECESSARY FLOW OF WATER. HOWEVER, NO STRUCTURE OF ANY KIND MAY BE ERRECTED IN THE AREA, NOR MAY ANY PIPE OR DITCH BE CONNECTED TO THE DEPARTMENT'S PIPE OR DITCH WITHOUT ADVANCED WRITTEN APPROVAL BY THE DEPARTMENT OF TRANSPORTATION.

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THIS PROPERTY PLOT PLAN IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

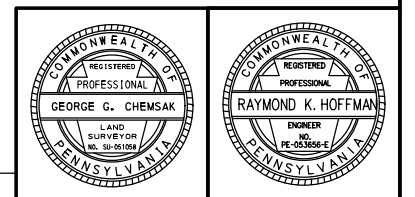
- LEGEND
- RS-1 CURVE DATA REFERENCE
 - C--- CUT LINE
 - F— FILL LINE

**PROPERTY PLOT
 PARCEL 130**

SHEET 5 OF 5

0 25 50 FEET

SURVEY BOOK NO. 29874



FILE: P:\Projects\130-05-PUC.dgn DATE: 7/6/2021 1:25:43 PM

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
12-0	WESTMORELAND	0070	E10 R/W	97 OF 224
ROSTRAVER TOWNSHIP				
REVISION NUMBER	REVISIONS	DATE	BY	

EXISTING STRUCTURE DATA

W. & L. E. RAILROAD OVER CEDAR CREEK
 STA. 5028+16.49
 CONCRETE BOX CULVERT
 SPAN: 10'-0"
 LENGTH: 90'-4"
 UNDERCLEARANCE: 10'-0"
 (TO REMAIN)

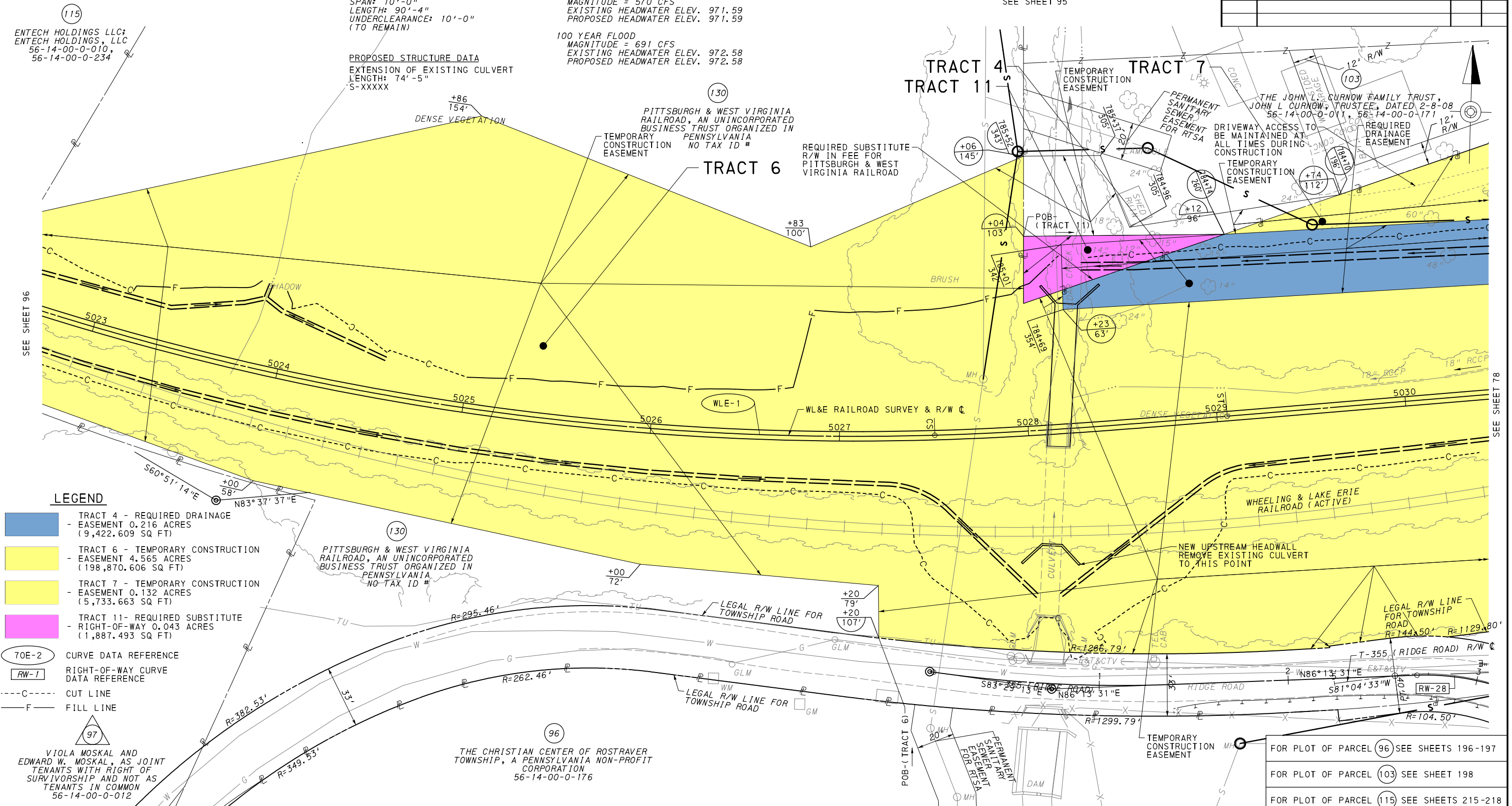
HYDRAULIC DATA:

DRAINAGE AREA: 1.33 SQ. MI.
 50 YEAR FLOOD (DESIGN)
 MAGNITUDE = 570 CFS
 EXISTING HEADWATER ELEV. 971.59
 PROPOSED HEADWATER ELEV. 971.59
 100 YEAR FLOOD
 MAGNITUDE = 691 CFS
 EXISTING HEADWATER ELEV. 972.58
 PROPOSED HEADWATER ELEV. 972.58

PROPOSED STRUCTURE DATA

EXTENSION OF EXISTING CULVERT
 LENGTH: 74'-5"
 S-XXXXX

SEE SHEET 95



LEGEND

- TRACT 4 - REQUIRED DRAINAGE EASEMENT 0.216 ACRES (9,422.609 SQ FT)
- TRACT 6 - TEMPORARY CONSTRUCTION EASEMENT 4.565 ACRES (198,870.606 SQ FT)
- TRACT 7 - TEMPORARY CONSTRUCTION EASEMENT 0.132 ACRES (5,733.663 SQ FT)
- TRACT 11- REQUIRED SUBSTITUTE RIGHT-OF-WAY 0.043 ACRES (1,887.493 SQ FT)
- 70E-2 CURVE DATA REFERENCE
- RW-1 RIGHT-OF-WAY CURVE DATA REFERENCE
- CUT LINE
- FILL LINE

97 VIOLA MOSKAL AND EDWARD W. MOSKAL, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON 56-14-00-0-012

130 PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS TRUST ORGANIZED IN PENNSYLVANIA NO TAX ID #

96 THE CHRISTIAN CENTER OF ROSTRAVER TOWNSHIP, A PENNSYLVANIA NON-PROFIT CORPORATION 56-14-00-0-176

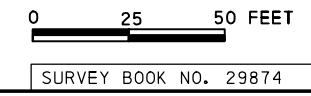
DRAINAGE EASEMENT. AN EASEMENT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND ALTERATION OF HIGHWAY DRAINAGE FACILITIES. THE EASEMENT SHALL NOT PREVENT THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO THE NECESSARY FLOW OF WATER. HOWEVER, NO STRUCTURE OF ANY KIND MAY BE ERRECTED IN THE AREA, NOR MAY ANY PIPE OR DITCH BE CONNECTED TO THE DEPARTMENT'S PIPE OR DITCH WITHOUT ADVANCED WRITTEN APPROVAL BY THE DEPARTMENT OF TRANSPORTATION.

TEMPORARY CONSTRUCTION EASEMENT. AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY THE DEPARTMENT.

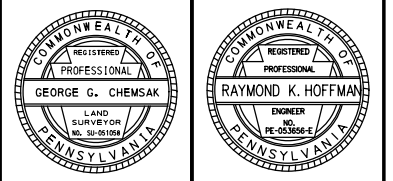
PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA. PRIVATE PROPERTY LINES WERE NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.

FOR W&LE RAILROAD PROFILE SEE SHEETS 154 & 155
FOR GEOMETRY SEE SHEETS 15 - 24
FOR REFERENCE CIRCLES SEE SHEET 14

PLAN SHEET



- FOR PLOT OF PARCEL 96 SEE SHEETS 196-197
- FOR PLOT OF PARCEL 103 SEE SHEET 198
- FOR PLOT OF PARCEL 115 SEE SHEETS 215-218
- FOR PLOT OF PARCEL 130 SEE SHEETS 220-224



FILE: P:\Projects\12-0 Westmoreland\12-0070\12-0070-01\CIVIL\RAWAY\PLC_Submission\SR70-E10_ROW_25sec_PLAN139-PLC_color.dgn
 DATE: 7/6/2021 11:54:13 AM

SEE SHEET 96

SEE SHEET 78

**PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS
TRUST ORGANIZED IN PENNSYLVANIA
C/O POWER REIT
301 WINDING ROAD
OLD BETHPAGE, NY 11804-1322
C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 1
(Required Right-of-Way)

Beginning at a point on the westerly Legal Right-of-Way Line of State Route 0051, said point being at the intersection of the westerly Legal Right-of-Way Line for State Route 0051 and the northerly Legal Right-of-Way Line of a former Township Road known as Ridge Road, thence continuing along the Legal Right-of-Way line of former Ridge Road

S 80° 49' 58" W, 90.82 feet to a point on the Required Right-of-Way Line for State Route 0051, said point being approximately 148 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 782+10, thence continuing along said Required Right-of-Way Line

N 66° 12' 28" E, 87.88 feet to a point on the Legal Right-of-Way Line for State Route 0051, said point being approximately 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 782+10, thence continuing along said Legal Right-of-Way Line

S 23° 47' 32" E, 22.93 feet to a point, the point of beginning. Containing 0.023 acres (1,007.586 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Right-of-Way designated and delineated as part of parcel 130 on sheet 222 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

**PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS
TRUST ORGANIZED IN PENNSYLVANIA
C/O POWER REIT
301 WINDING ROAD
OLD BETHPAGE, NY 11804-1322
C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 2
(Required Right-of-Way)

Beginning at a point on the westerly Legal Right-of-Way Line of State Route 0051, said point being 60.00 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+98, thence continuing along the Legal Right-of Way line

N 78° 36' 59" E, 35.84 feet to a point, thence continuing along said Legal Right-of-Way Line

S 23° 47' 32" E, 61.44 feet to a point, thence continuing along said Legal Right-of-Way Line

S 78° 36' 59" W, 35.84 feet to a point on the Required Right-of-Way Line for State Route 0051, said point being 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+37, thence continuing along said Required Right-of-Way Line

N 23° 47' 32" W, 61.44 feet to a point, the point of beginning. Containing 0.049 acres (2,150.230 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Right-of-Way designated and delineated as part of parcel 130 on sheet 222 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

**PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS
TRUST ORGANIZED IN PENNSYLVANIA
C/O POWER REIT
301 WINDING ROAD
OLD BETHPAGE, NY 11804-1322
C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 3
(Required Right-of-Way)

Beginning at a point on the easterly Legal Right-of-Way Line of State Route 0051, said point being at the intersection of the easterly Legal Right-of-Way Line for State Route 0051 and the property line of Pittsburgh & West Virginia Railroad, thence continuing along the Legal Right-of-Way line

N 23° 47' 32" W, 61.44 feet to a point, thence continuing along said Legal Right-of-Way Line

N 78° 36' 59" E, 30.72 feet to a point on the Required Right-of-Way line for State Route 0051, said point being 60.00 feet right of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+72, thence continuing along said Required Right-of-Way Line

S 23° 47' 32" E, 61.44 feet to a point at the intersection of the Required Right-of-Way Line for State Route 0051 and the property line of Pittsburgh & West Virginia Railroad, said point being 60 feet right of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+10, thence continuing along said property line

S 78° 36' 59" W, 30.72 feet to a point, the point of beginning. Containing 0.042 acres (1,843.055 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Right-of-Way designated and delineated as part of parcel 130 on sheet 222 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

**PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS
TRUST ORGANIZED IN PENNSYLVANIA
C/O POWER REIT
301 WINDING ROAD
OLD BETHPAGE, NY 11804-1322
C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 4
(Required Drainage Easement)

Beginning at a point of intersection with westerly Legal Right-of-Way Line for State Route 0051 and the Required Drainage Easement, said point being approximately 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 784+05, thence continuing along the Legal Right-of-Way Line

S 23° 47' 32" E, 36.00 feet to a point on the Required Drainage Easement, said point being approximately 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 783+69, thence continuing along said Required Drainage Easement

S 84° 59' 34" W, 310.54 feet to a point, said point being approximately 63 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5028+23, thence continuing along said Required Drainage Easement

N 03° 14' 11" W, 10.28 feet to a point on the property line of Pittsburgh & West Virginia Railroad, said point being approximately 73 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5028+23, thence continuing along said property line

N 69° 22' 35" E, 90.49 feet to a point on the Required Drainage Easement, said point being 96 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5029+12, thence continuing along said Required Drainage Easement

N 85° 08' 34" E, 211.48 feet to a point, the point of beginning. Containing 0.216 acres (9,422.609 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Drainage Easement designated and delineated as part of parcel 130 on sheets 221-222 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia

corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

**PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS
TRUST ORGANIZED IN PENNSYLVANIA
C/O POWER REIT
301 WINDING ROAD
OLD BETHPAGE, NY 11804-1322
C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 5
(Required Drainage Easement)

Beginning at a point on the Required Right-of-Way Line Easement for Highway Purpose and the Required Drainage Easement, said point being approximately 165 feet radially right of the Relocated Finley Road Survey and Right-of-Way centerline, station 82+36, thence continuing along said Required Right-of-Way Line Easement for Highway Purpose

S 77° 08' 16" E, 72.58 feet to a point on the Required Drainage Easement, said point being approximately 159 feet radially right of the Relocated Finley Road Survey and Right-of-Way centerline, station 82+85, thence continuing along said Required Drainage Easement

S 13° 42' 20" W, 15.98 feet to a point, said point being 175 feet radially right of the Relocated Finley Road Survey and Right-of-Way centerline, station 82+85, thence continuing along said Required Drainage Easement

S 86° 40' 39" W, 60.88 feet to a point, said point being 196 feet radially right of the Relocated Finley Road Survey and Right-of-Way centerline, station 82+48, thence continuing along said Required Drainage Easement

N 09° 58' 35" W, 35.75 feet to a point, the point of beginning. Containing 0.038 acres (1,660.916 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Drainage Easement designated and delineated as part of parcel 130 on sheet 224 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

**PITTSBURGH & WEST VIRGINIA RAILROAD, AN UNINCORPORATED BUSINESS
TRUST ORGANIZED IN PENNSYLVANIA
C/O POWER REIT
301 WINDING ROAD
OLD BETHPAGE, NY 11804-1322
C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 6
(Temporary Construction Easement)

Beginning at a point of intersection with northerly Legal Right-of-Way Line for Ridge Road and the Temporary Construction Easement, said point being approximately 107 feet radially right of the W&LE Railroad Survey and Right-of-Way centerline, station 5027+20, thence continuing along the Temporary Construction Easement

N 02° 03' 25" W, 27.75 feet to a point, said point being 79.00 feet radially right of the W&LE Railroad Survey and Right-of-Way centerline, station 5027+20, thence continuing along said Temporary Construction Easement

N 86° 29' 17" W, 126.48 feet to a point, said point being 72.00 feet radially right of the W&LE Railroad Survey and Right-of-Way centerline, station 5026+00, thence continuing along said Temporary Construction Easement

N 79° 26' 09" W, 209.37 feet to a point, said point being 58.00 feet radially right of the W&LE Railroad Survey and Right-of-Way centerline, station 5024+00, thence continuing along said Temporary Construction Easement

N 71° 40' 46" W, 207.43 feet to a point, said point being 45.00 feet radially right of the W&LE Railroad Survey and Right-of-Way centerline, station 5022+00, thence continuing along said Temporary Construction Easement

N 64° 15' 23" W, 168.79 feet to a point, said point being 34.00 feet radially right of the W&LE Railroad Survey and Right-of-Way centerline, station 5020+36, thence continuing along said Temporary Construction Easement

N 60° 41' 14" W, 338.21 feet to a point, said point being 29.00 feet right of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5017+00, thence continuing along said Temporary Construction Easement

N 29° 08' 46" E, 58.00 feet to a point, said point being 29.00 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5017+00, thence continuing along said Temporary Construction Easement

S 61° 18' 02" E, 100.00 feet to a point on the property line of Pittsburgh & West Virginia Railroad, said point being approximately 30 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5018+00, thence continuing along said property line

S 60° 49' 01" E, 237.78 feet to a point, thence continuing along said property line

A curve to the left, having a radius of 1,402.69 feet, a delta of 08° 13' 20", a chord bearing of S 64° 55' 41" E, a chord distance of 201.12 feet and an arc length of 201.29 feet to a point, thence continuing along said property line

N 29° 08' 20" E, 37.40 feet to a point on the Temporary Construction Easement, said point being 48.00 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5022+51, thence continuing along said Temporary Construction Easement

N 76° 08' 19" E, 242.26 feet to a point, said point being 154.00 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, station 5024+86, thence continuing along said Temporary Construction Easement

S 69° 55' 28" E, 187.31 feet to a point, said point being 100.00 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, station 5026+83, thence continuing along said Temporary Construction Easement

N 65° 17' 03" E, 122.32 feet to a point on the property line of Pittsburgh & West Virginia Railroad, said point being approximately 145 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5028+06, thence continuing along said property line

S 01° 37' 25" E, 77.93 feet to a point, thence continuing along said property line

N 69° 22' 35" E, 21.84 feet to a point on the Required Drainage Easement, said point being approximately 73 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5028+23, thence continuing along said Required Drainage Easement

S 03° 14' 11" E, 10.28 feet to a point, said point being approximately 63 feet radially left of the W&LE Railroad Survey and Right-of-Way centerline, approximate station 5028+23, thence continuing along said Required Drainage Easement

N 84° 59' 34" E, 310.54 feet to a point on the Legal Right-of-Way of State Route 0051, said point being approximately 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 783+69, thence continuing along said Legal Right-of-Way Line

S 23° 47' 32" E, 70.68 feet to a point on the Required Right-of-Way of State Route 0051, said point being 60.00 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+98, thence continuing along said Required Right-of-Way Line

S 23° 47' 32" E, 61.44 feet to a point on the Legal Right-of-Way of State Route 0051, said point being 60.00 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+37, thence continuing along said Legal Right-of-Way Line

S 23° 47' 32" E, 26.89 feet to a point on the Required Right-of-Way of State Route 0051, said point being approximately 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 782+10, thence continuing along said Required Right-of-Way Line

S 66° 12' 28" W, 87.88 feet to a point on the Legal Right-of-Way Line for of former Ridge Road, said point being approximately 148 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 782+10, thence continuing along said Legal Right-of-Way Line of former Ridge Road

S 80° 49' 58" W, 71.38 feet to a point on the Legal Right-of-Way of Ridge Road, thence continuing along said Legal Right-of-Way Line

A curve to the right, having a radius of 1,129.80 feet, a delta of 00° 44' 37", a chord bearing of S 81° 12' 16" W, a chord distance of 14.66 feet and an arc length of 14.66 feet to a point, thence continuing along said Legal Right-of-Way Line

A curve to the left, having a radius of 144.50 feet, a delta of 12° 02' 59", a chord bearing of S 87° 06' 02" W, a chord distance of 30.33 feet and an arc length of 30.39 feet to a point, thence continuing along said Legal Right-of-Way Line

S 81° 04' 33" W, 32.30 feet to a point, thence continuing along said Legal Right-of-Way Line

S 08° 55' 27" E, 0.89 feet to a point, thence continuing along said Legal Right-of-Way Line

S 85° 04' 48" W, 20.17 feet to a point, thence continuing along said Legal Right-of-Way Line

A curve to the right, having a radius of 1,266.79 feet, a delta of 09° 53' 41", a chord bearing of N 89° 58' 22" W, a chord distance of 218.50 feet and an arc length of 218.77 feet to a point, the point of beginning. Containing 4.565 acres (198,870.606 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Temporary Construction Easement designated and delineated as part of parcel 130 on sheets 220-222 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

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301 WINDING ROAD
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C/O WHEELING & LAKE ERIE RAILWAY COMPANY (SUBLESSEE AND OPERATOR)
100 EAST FIRST STREET
BREWSTER, OHIO 44613**

All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 7
(Temporary Construction Easement)

Beginning at a point of intersection with westerly Legal Right-of-Way Line for State Route 0051 and the Temporary Construction Easement, said point being 145.00 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, approximate station 5031+06, thence continuing along the Legal Right-of-Way Line

S 23° 47' 32" E, 57.22 feet to a point on the Required Drainage Easement, said point being approximately 60 feet left of and opposite State Route 0051 Survey and Right-of-Way baseline, station 784+05, thence continuing along said Required Drainage Easement

S 85° 08' 34" W, 211.48 feet to a point on the property line of Pittsburgh & West Virginia Railroad, said point being 96.00 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, approximate station 5029+12, thence continuing along said property line

N 69° 22' 35" E, 64.36 feet to a point on the Temporary Construction Easement, said point being approximately 112 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, approximate station 5029+74, thence continuing along said Temporary Construction Easement

N 69° 30' 59" E, 136.01 feet to a point, the point of beginning. Containing 0.132 acres (5,733.663 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Temporary Construction Easement designated and delineated as part of parcel 130 on sheets 221-222 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

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All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 8
(Temporary Construction Easement)

Beginning at a point on the Required Right-of-Way Line for State Route 0051 and the Temporary Construction Easement, said point being 60 feet right of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+72, thence along said Temporary Construction Easement

N 78° 36' 59" E, 416.87 feet to a point on the Required Drainage Easement, said point being approximately 29 feet radially left of the W&LE Survey and Right-of-Way centerline, station 5036+95, thence continuing along said Temporary Construction Easement

N 78° 38' 54" E, 304.38 feet to a point, said point being 30 feet left of and opposite W&LE Survey and Right-of-Way centerline, station 5040+00, thence continuing along said Temporary Construction Easement

S 11° 22' 23" E, 59.00 feet to a point, said point being 29 feet right of and opposite feet left of and opposite the W&LE Survey and Right-of-Way centerline, station 5040+00, thence continuing along said Temporary Construction Easement

S 78° 32' 42" W, 667.09 feet to a point, said point being approximately 56 feet right of and opposite W&LE Survey and Right-of-Way centerline, approximate station 5033+37, thence continuing along said Temporary Construction Easement

S 78° 36' 59" W, 40.96 feet to a point on the Required Right-of-Way line for State Route 0051, said point being 60 feet right of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+10, thence along said Required Right-of-Way line

N 23° 47' 32" W, 61.44 feet to a point, the point of beginning. Containing 0.977 acres (42,576.187 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Temporary Construction Easement designated and delineated as part of parcel 130 on sheets 222-223 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The

Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Eric Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

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All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 9

(Required Substitute Right-of-Way in fee for the Pittsburgh & West Virginia Railroad)

Beginning at a point on the easterly Required Right-of-Way Line of State Route 0051, said point being approximately 60 feet right of and opposite State Route 0051 Survey and Right-of-Way baseline, station 783+55, thence continuing along the Required Substitute Right-of-Way Line in fee for the Pittsburgh & West Virginia Railroad

N 86° 52' 23" E, 428.83 feet to a point, said being 41 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5036+86, thence continuing along said Required Substitute Right-of-Way Line in fee for the Pittsburgh & West Virginia Railroad

S 47° 39' 49" E, 14.58 feet to a point on the property line of the Pittsburgh & West Virginia Railroad, said point being approximately 29 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5036+95, thence continuing along said property line

S 78° 36' 59" W, 416.87 feet to a point on the easterly Required Right-of-Way Line of State Route 0051, said point being 60 feet right of and opposite State Route 0051 Survey and Right-of-Way baseline, approximate station 782+72, thence continuing along said Required Right-of-Way Line

N 23° 47' 32" W, 75.09 feet to a point, the point of beginning. Containing 0.402 acres (17513.846 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Substitute Right-of-Way Line in fee for the Pittsburgh & West Virginia Railroad designated and delineated as part of parcel's 64, 65, 66 and 67, on sheet 78 and 98 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

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All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 10

(Required Substitute Right-of-Way in fee for the Pittsburgh & West Virginia Railroad)

Beginning at a point on the northerly property line of the Pittsburgh & West Virginia Railroad, said point being approximately 30 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5018+00, thence along the Required Substitute Right-of Way in fee for the Pittsburgh & West Virginia Railroad

S 83° 39' 09" E, 65.08 feet to a point, said being 55 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, station 5018+60, thence continuing along said Required Substitute Right-of-Way in fee for the Pittsburgh & West Virginia Railroad

S 64° 49' 55" E, 379.30 feet to a point on the property line of the Pittsburgh & West Virginia Railroad, said point being 48 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, approximate station 5022+51, thence continuing along said property line

S 29° 08' 20" W, 37.40 feet to a point, thence

A curve to the right, having a radius of 1,402.69 feet, a delta of 08° 13' 20", a chord bearing of N 64° 55' 41" W, a chord distance of 201.12 feet and an arc length of 201.29 feet to a point, thence

N 60° 49' 01" W, 237.78 feet to a point, the point of beginning. Containing 0.330 acres (14377.917 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Substitute Right-of-Way in fee for the Pittsburgh & West Virginia Railroad, designated and delineated as part of parcel 115 on sheet 96 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.

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All that certain parcel of land located in Rostraver Township, Westmoreland County, Commonwealth of Pennsylvania, being bound and described as follows:

Tract No. 11

(Required Substitute Right-of-Way in fee for the Pittsburgh & West Virginia Railroad)

Beginning at a point on the property line common to the Pittsburgh & West Virginia Railroad and property of the John L. Curnow Family Trust, John L Curnow, Trustee, said point being 103 feet radially left of and opposite W&LE Railroad Survey and Right-of-Way centerline, approximate station 5028+04, thence through said Curnow property and along the Required Substitute Right-of Way in fee for the Pittsburgh & West Virginia Railroad

N 87° 49' 15" E, 106.22 feet to a point on the property line common to the Pittsburgh & West Virginia Railroad and property of the John L. Curnow Family Trust, John L Curnow, Trustee, said being 96 feet left of and opposite W&LE Railroad Survey and Right-of-Way centerline, approximate station 5029+12, thence continuing along said common property line

S 69° 22' 35" W, 112.33 feet to a point, thence

N 01° 37' 25" W, 35.54 feet to a point, the point of beginning. Containing 0.0433 acres (1887.493 sq ft.).

The above tract of land shown on Commonwealth of Pennsylvania Department of Transportation Drawings Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for State Route 0070, Section E10 R/W in Westmoreland County, as Required Substitute Right-of-Way in fee for the Pittsburgh & West Virginia Railroad, designated and delineated as part of parcel 103 on sheet 97 of 224 of said drawings, as recorded in the office for the recording of deeds in Westmoreland County, Pennsylvania, in Highway Book XXX, Page XXX, on Month Day, Year, is a portion of real estate which became legally vested in Pittsburgh & West Virginia Railroad, an unincorporated business trust organized in Pennsylvania, by deed of The Pittsburgh & West Virginia Railway Company, a consolidated corporation organized under the laws of Pennsylvania and West Virginia, dated December 29, 1967, and recorded October 3, 1968, in Deed Book 1997, Page 363, in the Westmoreland County Courthouse, c/o Wheeling & Lake Erie Railway Company (sublessee) by sublease agreement of Norfolk and Western Railway Company, a Virginia corporation, dated May 17, 1990, and recorded May 21, 1990, in Deed Book 2947, Page 361, in the Westmoreland County Courthouse.