

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held December 19, 2024

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Application of the Pennsylvania Department of Transportation for approval to alter the public crossing (DOT 501 500 G) by replacement of the existing bridges where State Route 0083 (Interstate 83) crosses, above grade, the tracks of Norfolk Southern Railway Company and State Route 3029 (Loucks Mill Road) located in Spring Garden Township, York County, and the allocation of costs incident thereto.

Docket No.
A-2021-3027407

ORDER

BY THE COMMISSION:

On July 21, 2021, the Pennsylvania Department of Transportation (Department) filed an application with the Commission for approval to alter the public grade separated crossings (DOT 501 500 G and DOT 872 491 H) by replacement of the existing highway bridge. On November 9, 2021, a field investigation and conference was held at the site of the subject crossings. At the field conference, the Department averred it would be necessary for the Commission to appropriate certain portions of railroad property to accommodate the proposed bridge replacement. On September 8, 2022, the Department filed a revised application seeking to separate the two (2) public above grade crossings involved in its original application into independent proceedings. The additional public above grade crossing (DOT 872 491 H) involved with the subject bridge replacement is docketed at A-2022-3035024.

By Secretarial Letter dated February 16, 2023, the Commission directed the alteration of the public crossing (DOT 501 500 G) by replacement of the existing highway bridge, allocation of costs and assignment of future maintenance responsibilities. Paragraph Number 4 of the Commission's Secretarial Letter directed the Department to submit for approval the right-of-way plans for the highway-railroad crossing alteration project involved in this proceeding.

The final right-of-way plans were received August 28, 2024, and consist of a total of eighteen (18) sheets, including three (3) sheets of color-coded plans and one (1) sheet from the York County Recorder of Deeds. The Department is requesting the Commission approve the right-of-way plans that include appropriation of thirteen (13) tracts of property from Norfolk Southern Railway Company.

The Department avers that each party to the proceeding was served a copy of the plan for review. None of the parties have advised the Commission that it objects to approval of the plan.

The metes and bounds descriptions required for the property appropriation associated with the said right-of-way plans were submitted to the Commission on August 28, 2024, and are defined herein by this Order.

We hereby approve the right-of-way plans and appropriate the property described in detail in the ordering paragraphs.

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

The record having been certified to this Commission, we issue this Order pursuant to Sections 335(a) and 2702 of the Public Utility Code, (66 Pa. C.S. §335(a), §2702);

THEREFORE,

IT IS ORDERED:

1. That the right-of-way plans submitted by the Pennsylvania Department of Transportation on August 28, 2024, consisting of a total of eighteen (18) sheets, including three (3) sheets of color-coded plans and one (1) sheet from the York County Recorder of Deeds and identified as “COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, DRAWINGS RE-ESTABLISHING LIMITED ACCESS HIGHWAY AND AUTHORIZING ACQUISITION OF RIGHT-OF-WAY FOR STATE ROUTE 0083 SECTION 091 R/W IN YORK COUNTY,” are hereby approved and made part hereof.

2. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described properties be and are hereby taken and appropriated for the purpose of the improvement in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 2 of this Order shall be recorded in the Recorder of Deeds of York County, and shall be indexed under the name or names of the record owners of said property, grantor(s), and the Commonwealth of Pennsylvania Department of Transportation, grantee, at the sole cost and expense of the Commonwealth of Pennsylvania Department of Transportation, applicant herein; the above said plans having been recorded by York County on October 4, 2023 by Instrument Number 2023038457 to which recording reference is made in and of the description of those tracts of land more particularly described in detail below:

PENNSYLVANIA LINES, LLC, PROPERTY OWNER
C/O NORFOLK SOUTHERN RAILWAY COMPANY
110 FRANKLIN ROAD SE
ROANOKE, VA 24042-0028

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

Tract No. 1

(Required Right-of-Way for Limited Access)

Beginning at a point, northing 236,916.0477 and easting 2,257,279.6172, on the northerly side of State Road 0083, said point being at the intersection of the northerly legal right-of-way line of State Route 0083 and easterly property line of Pennsylvania Lines LLC distant Eight and Forty-Four Hundredths (8.44) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 327+25.44 thereof;

Thence along the northerly legal right-of-way line of State Route 0083 North Eighty-Three degrees Forty- Two minutes Fifty-Eight seconds West (N 83°42'58" W) a distance of Two Hundred Twenty-Four and Fifty- Seven Hundredths (224.57) feet, to a point Ten and Forty Hundredths (10.40) feet northerly and measured perpendicular

from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the easterly boundary of the Required Aerial Easement area North Five degrees Forty-Seven minutes Eight seconds East (N 5°47'08" E) a distance of Sixty-Seven and Sixty Hundredths (67.60) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the southerly boundary of the Temporary Construction Easement area South Eighty-Four degrees Twelve minutes Fifty-Two seconds East (S 84°12'52" E) a distance of Two Hundred Forty-Five and Fifty Hundredths (245.50) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 327+04.50 thereof;

Thence along the easterly property line of Pennsylvania Lines LLC South Twenty-Two degrees Thirty-Two minutes Twenty-Five seconds West (S 22°32'25" W) a distance of Seventy-Two and Sixty-Four Hundredths (72.64) feet, to a point and place of beginning and containing Three-Hundred Seventy Thousandths (0.370) of an acre of land more or less.

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

Beginning at a point, northing 236,730.1770 and easting 2,257,214.5286, on the southerly side of State Route 0083, said point being at the intersection of the proposed Required Right-of-Way Line and the easterly property line of Pennsylvania Lines LLC distant One Hundred Eighty-Three and Four Hundredths (183.04) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 327+71.46 thereof;

Thence along the Required Right-of-Way Line North Eighty-Three degrees Twenty-Two minutes Seventeen seconds West (N 83°22'17" W) a distance of One Hundred Forty-Five and Ninety-Four Hundredths (145.94) feet, to a point One-Hundred Eighty and Eighty-Nine Hundredths (180.89) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+17.38 thereof;

Thence along the eastern boundary of the Temporary Construction Easement area North Twenty degrees Four minutes Thirty-Seven seconds West (N 20°04'37" W) a distance of Seventy-Four and Seventy-Eight Hundredths (74.78) feet, to a point One-Hundred Thirteen and Sixty-One Hundredths (113.61) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the southerly Legal Right-of-Way Line of State Route 0083 South Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of One Hundred Eighty-Four and Seventy-Seven Hundredths (184.77) feet, to a point One-Hundred Fifteen and Twenty-One Hundredths (115.21) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 327+65.23 thereof;

Thence along the eastern property line of Pennsylvania Lines LLC South Eleven degrees One minute Fifty-Two seconds West (S 11°01'52" W) a distance of Sixty-Eight and Eleven Hundredths (68.11) feet, to a point and place of beginning and containing Two-Hundred Fifty-Six Thousandths (0.256) of an acre of land more or less.

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

Beginning at a point, northing 236,983.1381 and easting 2,257,307.4622, on the northerly side of State Route 0083, said point being at the intersection of the proposed Required Right-of-Way for Limited Access Line and the easterly property line of Pennsylvania Lines LLC distant Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 327+04.50 thereof;

Thence along the Required Right-of-Way Line for Limited Access North Eighty-Four degrees Twelve minutes Fifty-Two seconds West (N 84°12'52" W) a distance of Two Hundred Forty-Five and Fifty Hundredths (245.50) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the easterly boundary of the Temporary Construction Easement area North Five degrees Forty-Seven minutes Eight seconds East (N 5°47'08" E) a distance of Forty-Two (42.00) feet, to a point One-Hundred Twenty (120.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the proposed Required Right-of-Way Line North Fifty-Five degrees Eleven minutes Three seconds East (N 55°11'03" E) a distance of Ninety-Two and Twenty Hundredths (92.20) feet, to a point One-Hundred Eighty (180.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+80.00 thereof;

Thence along the proposed Required Right-of-Way Line South Eighty-Four degrees Twelve minutes Fifty-Two seconds East (S 84°12'52" E) a distance of One Hundred Five (105.00) feet, to a point One-Hundred Eighty (180.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 327+75.00 thereof;

Thence along the proposed Required Right-of-Way Line North Seventeen degrees Thirty-Three minutes Fourteen seconds East (N 17°33'14" E) a distance of One Hundred Twenty-Two and Fifty-Eight Hundredths (122.58) feet, to a point Three Hundred (300.00) feet northerly and measured perpendicular from the survey & right-

of-way centerline of State Route 0083 at or about Station 327+50.00 thereof;

Thence along the proposed Required Right-of-Way Line South Eighty-Four degrees Twelve minutes Fifty- Two seconds East (S 84°12'52" E) a distance of One Hundred Twelve and Thirty-Four Hundredths (112.34) feet, to a point Three Hundred (300.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 326+37.66 thereof;

Thence along the eastern property line of Pennsylvania Lines LLC South Twenty-Two degrees Thirty-Two minutes Twenty-Five seconds West (S 22°32'25" W) a distance of Two Hundred Thirty-One and Eighty- Four Hundredths (231.84) feet to a point and place of beginning containing Eight-Hundred Fifty-Seven Thousandths (0.857) of an acre of land more or less.

The above three (3) tracts of land shown on the Pennsylvania Department of Transportation Drawings Authorizing Acquisition of Right-of-Way for State Route 0083, Section 091 R/W, as required right-of-way for Route 0083 and designated and delineated as part of Parcel No. 20 on sheets 28 through 30, 32, and 95 through 98 of the said drawings, as recorded in the office for the recording of deeds, etc. in York County, Pennsylvania, in Book 2799 Starting Page 6843, on October 4, 2023, are portions of real estate conveyed by Consolidated Rail Corporation to Pennsylvania Lines LLC by deed dated May 19, 1999, and recorded October 21, 1999, in Deed Book 1380, Page 7202, in the York County Courthouse.

Tract No. 4
(Required Aerial Easement)

Beginning at a point, northing 236,940.6281 and easting 2,257,056.3968, on the northerly side of State Route 0083, said point being at the intersection of the Required Right-of-Way for Limited Access area and the northerly Legal Right-of-Way Line distant Ten and Forty Hundredths (10.40) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the Legal Right-of-Way Line North Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds West (N 83°42'58" W) a distance of Four Hundred Three and Fifty-Eight Hundredths (403.58) feet, to a point Thirteen and Ninety-One Hundredths (13.91) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.56 thereof;

Thence along the westerly property line of Pennsylvania Lines LLC North Six degrees Fourteen minutes Fifty-One seconds East (N 6°14'51" E) a distance of Sixty-Four and Nine Hundredths (64.09) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.05 thereof;

Thence along the northerly boundary of the Required Aerial Easement area South Eighty-Four degrees Twelve minutes Fifty-Two seconds East (S 84°12'52" E) a distance of Four Hundred Three and Five Hundredths (403.05) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the easterly boundary of the Required Right-of-Way for Limited Access area South Five degrees Forty-Seven minutes Eight seconds West (S 5°47'08" W) a distance of Sixty-Seven and Sixty Hundredths (67.60) feet to a point and place of beginning containing Six-Hundred Ten Thousandths (0.610) of an acre of land more or less.

Tract No. 5

(Legal Right-of-Way For Limited Access Converted to Required Aerial Easement)

Beginning at a point, northing 236,817.2551 and easting 2,257,043.8966, on the southerly side of State Route 0083, said point being at the intersection of the southerly Legal Right-of-Way Line of State Route 0083 and the easterly Required Right-of-Way Line for Limited Access area distant One Hundred Thirteen and Sixty-one Hundredths (113.61) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the southerly Legal Right-of-Way Line of State Route 0083 North Eighty-Three degrees Forty- Two minutes Fifty-Eight seconds West (N 83°42'58" W) a distance of Four Hundred Three and Forty-One Hundredths (403.41) feet, to a point One-Hundred Ten and Ten Hundredths (110.10) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.39 thereof;

Thence along the western property line of Pennsylvania Lines LLC North Five degrees Thirty-Eight minutes Twenty seconds East (N 5°38'20" E) a distance of One Hundred Ten and Thirty-One Hundredths (110.31) feet, to a point Twenty-One Hundredths (0.21) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.68 thereof;

Thence along the western property line of Pennsylvania Lines LLC North Six degrees Fourteen minutes Fifty-One seconds East (N 6°14'51" E) a distance of Thirteen and Seventy Hundredths (13.70) feet, to a point Thirteen and Ninety-One Hundredths (13.91) northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.56 thereof;

Thence along the northerly Legal Right-of-Way Line of State Route 0083 South Eighty-Three degrees Forty- Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of Four Hundred Three and Fifty-eight Hundredths (403.58) feet, to a point Ten and Forty Hundredths (10.40) northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the western Required Right-of-Way Line for Limited Access South Five degrees Forty-Seven minutes Eight seconds West (S 5°47'08" W) a distance of One Hundred Twenty-Four (124.00)

feet to a point and place of beginning containing One and One-Hundred and Forty-Nine Thousandths (1.149) of an acre of land more or less.

The above two (2) tracts of land shown on the Pennsylvania Department of Transportation Drawings Authorizing Acquisition of Right-of-Way for State Route 0083, Section 091 R/W, as required aerial easement for Route 0083 and designated and delineated as part of Parcel No. 20 on sheets 28 through 30, 32, and 95 through 98 of the said drawings, as recorded in the office for the recording of deeds, etc. in York County, Pennsylvania, in Book 2799 Starting Page 6843, on October 4, 2023, are portions of real estate conveyed by Consolidated Rail Corporation to Pennsylvania Lines LLC by deed dated May 19, 1999, and recorded October 21, 1999, in Deed Book 1380, Page 7202, in the York County Courthouse.

Mile post YX 11 is approximately 4,752 feet north of the State Route 0083 rail crossing. Railroad mile posts increase in a southerly direction.

Railroad valuation stationing is based on valuation map 1332004, specifically the centerline of State Route 0083.

The horizontal control is based on the Pennsylvania State Plane coordinate system, South Zone, North American Datum of 1983 (2011).

3. That in accordance with the provision of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described properties be and are hereby taken and appropriated temporarily, for the use during the construction period only, in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 3 of this Order shall be recorded by the Recorder of Deeds of York County, and shall be indexed under the name or names of the record owners of said property, grantor(s), and to the Commonwealth of Pennsylvania Department of Transportation, grantee, at the sole cost and expense of the Department of Transportation of the Commonwealth of Pennsylvania, applicant herein; the above said plans having been recorded by York County on October 4, 2023 by Instrument Number 2023038457 to which recording reference is made in and of the description of those tracts of land more particularly described in detail below:

PENNSYLVANIA LINES, LLC, PROPERTY OWNER
C/O NORFOLK SOUTHERN RAILWAY COMPANY
110 FRANKLIN ROAD SE
ROANOKE, VA 24042-0028

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

Tract No. 6

(Temporary Construction Easement)

Beginning at a point, northing 236,762.7470 and easting 2,257,063.8190, on the southerly side of State Route 0083, said point being at the intersection of the proposed Required Right-of-Way for Limited Access Line and the northern boundary of the Temporary Construction Easement area, distant One-Hundred Sixty- Five and Eighty-Three Hundredths (165.83) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+24.68 thereof;

Thence North Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds West (N 83°42'58" W) a distance of One-Hundred Fifteen and Forty-Seven Hundredths (115.47) feet, to a point One-Hundred Sixty- Four and Eighty-Two Hundredths (164.82) feet southerly and

measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 330+40.25 thereof;

Thence along the western boundary of the Temporary Construction Easement area North Six degrees Seventeen minutes Two seconds East (N 6°17'02" E) a distance of Fifty-Two (52.00) feet, to a point One- Hundred Twelve and Eighty-Three Hundredths (112.83) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 330+39.79 thereof;

Thence along the southerly Legal Right-of-Way Line For Limited Access of State Route 0083 South Eighty- Three degrees Forty-Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of Eighty-Nine and Eighty Hundredths (89.80) feet, to a point One-Hundred Thirteen and Sixty-One Hundredths (113.61) southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the western boundary of the Required Right-of-Way Line For Limited Access area South Twenty degrees Four minutes Thirty-Seven seconds East (S 20°04'37" E) a distance of Fifty-Eight and Three Hundredths (58.03) feet to a point and place of beginning containing One-Hundred and Twenty- Three Thousandths (0.123) of an acre of land more or less.

Tract No. 7

(Temporary Construction Easement)

Beginning at a point, northing 236,836.1688 and easting 2,256,872.1371, on the southerly side of State Route 0083, said point being at the intersection of the southerly Legal Right-of-Way Line For Limited Access of State Route 0083 and the eastern boundary of the Temporary Construction Easement area, distant One- Hundred Twelve and Ten Hundredths (112.10) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+22.79 thereof;

Thence South Six degrees Seventeen minutes Two seconds West (S 6°17'02" W) a distance of Thirty- Three (33.00) feet, to a point One- Hundred Forty-Five and Ten Hundredths (145.10) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+23.08 thereof;

Thence along the southern boundary of the Temporary Construction Easement area North Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds West (N 83°42'58" W) a distance of Forty-Five (45.00) feet, to a point One-Hundred Forty-Four and Seventy-One Hundredths (144.71) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+68.08 thereof;

Thence along the eastern boundary of the Temporary Construction Easement area South Six degrees Seventeen minutes Two seconds West (S 6°17'02" W) a distance of Thirty (30.00) feet, to a point One- Hundred Seventy-Four and Seventy-One Hundredths (174.71) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+68.34 thereof;

Thence along the southern boundary of the Temporary Construction Easement area North Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds West (N 83°42'58" W) a distance of Thirty-Nine (39.00) feet, to a point One-Hundred Seventy-Four and Thirty-seven Hundredths (174.37) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+07.34 thereof;

Thence along the western boundary of the Temporary Construction Easement area North Six degrees Seventeen minutes Two seconds East (N 6°17'02" E) a distance of Sixty-Three (63.00) feet, to a point

One-Hundred Eleven and Thirty-Seven Hundredths (111.37) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+06.79 thereof;

Thence along the southern Legal Right-of-Way Line For Limited Access of State Route 0083 South Eighty- Three degrees Forty-Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of Eighty-Four (84.00) feet to a point and place of beginning containing Ninety Thousandths (0.090) of an acre of land more or less.

Tract No. 8

(Temporary Construction Easement)

Beginning at a point, northing 236,859.3971 and easting 2,256,661.1953, on the southerly side of State Route 0083, said point being at the intersection of the southern Legal Right-of-Way Line For Limited Access of State Route 0083 and the eastern boundary of the Temporary Construction Easement area, distant One- Hundred Ten and Twenty-Six Hundredths (110.26) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+35.00 thereof;

Thence along the eastern boundary of the Temporary Construction Easement area South Five degrees Forty-Seven minutes Eight seconds West (S 5°47'08" W) a distance of Thirty-Four and Seventy-Four Hundredths (34.74) feet, to a point One-Hundred Forty-Five (145.00) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+35.00 thereof;

Thence along the southern boundary of the Temporary Construction Easement area South Forty degrees Zero minutes Twenty-Two seconds West (S 40°00'22" W) a distance of Thirty-Two and Seventy-Seven Hundredths (32.77) feet, to a point One-Hundred Seventy-Two and Ten Hundredths (172.10) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.43 thereof;

Thence along the western property boundary of Pennsylvania Lines LCC North Five degrees Forty-Nine minutes Fourteen seconds East (N 5°49'14" E) a distance of Sixty-Two (62.00) feet, to a point One-Hundred Ten and Ten Hundredths (110.10) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.39 thereof;

Thence along the southern Legal Right-of-Way Line For Limited Access of State Route 0083 South Eighty- Three degrees Forty-Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of Eighteen and Thirty-Nine Hundredths (18.39) feet to a point and place of beginning containing Twenty Thousandths (0.020) of an acre of land more or less.

Tract No. 9

(Temporary Construction Easement)

Beginning at a point, northing 237,007.8857 and easting 2,257,063.2114, on the northerly side of State Route 0083, said point being at the intersection of the northern boundary of the Required Aerial Easement area and the Required Right-of-Way for Limited Access Line, distant Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the northern boundary of the Required Aerial Easement area North Eighty-Four degrees Twelve minutes Fifty-Two seconds West (N 84°12'52" W) a distance of Ninety (90.00) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 330+40.00 thereof;

Thence along the eastern boundary of the Temporary Construction Easement area North Five degrees Forty-Seven minutes Eight seconds East (N 5°47'08" E) a distance of Forty-Two (42.00) feet, to a point One-Hundred Twenty (120.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 330+40.00 thereof;

Thence along the northern boundary of the Temporary Construction Easement area South Eighty-Four degrees Twelve minutes Fifty-Two seconds East (S 84°12'52" E) a distance of Ninety (90.00) feet, to a point One-Hundred Twenty (120.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+50.00 thereof;

Thence along the Required Right-of-Way for Limited Access Line South Five degrees Forty-Seven minutes Eight seconds West (S 5°47'08" W) a distance of Forty-Two (42.00) feet to a point and place of beginning containing Eighty-Seven Thousandths (0.087) of an acre of land more or less.

Tract No. 10

(Temporary Construction Easement)

Beginning at a point, northing 237,030.0627 and easting 2,256,844.3320, on the northerly side of State Route 0083, said point being at the intersection of the northern boundary of the Required Aerial Easement area and eastern boundary of the Temporary Construction Easement area, distant Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+70.00 thereof;

Thence along the northern boundary of the Required Aerial Easement area North Eighty-Four degrees Twelve minutes Fifty-Two seconds West (N 84°12'52" W) a distance of Thirty-Five (35.00) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+05.00 thereof;

Thence along the western boundary of the Temporary Construction Easement area North Five degrees Forty-Seven minutes Eight seconds East (N 5°47'08" E) a distance of Seventy (70.00) feet, to a point One- Hundred Forty-Eight (148.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+05.00 thereof;

Thence along the northern boundary of the Temporary Construction Easement area South Eighty-Four degrees Twelve minutes Fifty-Two seconds East (S 84°12'52" E) a distance of Thirty-Five (35.00) feet, to a point One-Hundred Forty-Eight (148.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+70.00 thereof;

Thence along the eastern boundary of the Temporary Construction Easement area South Five degrees Forty-Seven minutes Eight seconds West (S 5°47'08" W) a distance of Seventy (70.00) feet to a point and place of beginning containing Fifty-Six Thousandths (0.056) of an acre of land more or less.

Tract No. 11

(Temporary Construction Easement)

Beginning at a point, northing 237,046.6954 and easting 2,256,680.1725, on the northerly side of State Route 0083, said point being at the intersection of the northern boundary of the Required Aerial Easement area and the eastern boundary of the Temporary Construction Easement area, distant Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+35.00 thereof;

Thence along the northern boundary of the Required Aerial Easement area North Eighty-Four degrees Twelve minutes Fifty-Two seconds West (N 84°12'52" W) a distance of Eighteen and Five Hundredths (18.05) feet, to a point Seventy-Eight (78.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+53.05 thereof;

Thence along the western property boundary of Pennsylvania Lines LLC North Six degrees Fourteen minutes Fifty-One seconds East (N 6°14'51" E) a distance of Twenty-Seven (27.00) feet, to a point One-Hundred Five (105.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+52.83 thereof;

Thence along the northern boundary of the Temporary Construction Easement area South Eighty-Four degrees Twelve minutes Fifty-Two seconds East (S 84°12'52" E) a distance of Seventeen and Eighty-Three Hundredths (17.83) feet, to a point One-Hundred Five (105.00) feet northerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 333+35.00 thereof;

Thence along the eastern boundary of the Temporary Construction Easement area South Five degrees Forty-Seven minutes Eight seconds West (S 5°47'08" W) a distance of Twenty-Seven (27.00) feet to a point and place of beginning containing Eleven Thousandths (0.011) of an acre of land more or less.

Tract No. 12

(Temporary Construction Easement [Access])

Beginning at a point, northing 236,768.0445 and easting 2,257,015.7106, on the southerly side of State Route 0083, said point being at the intersection of the southern boundary of the proposed Temporary Construction Easement area and the northern boundary of the Temporary Construction Easement (Access) Area, distant One-Hundred Sixty-Five and Forty-One Hundredths (165.41) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+73.08 thereof;

Thence along the Temporary Construction Easement (Access) Line South Eight degrees Zero minutes Ten seconds West (S 8°00'10" W) a distance of Forty-One and Thirty-One Hundredths (41.31) feet, to a point Two-Hundred Six and Sixty-Eight Hundredths (206.68) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+74.68 thereof;

Thence along the Temporary Construction Easement (Access) Line South Seventy-Nine degrees Fifty- Eight minutes Forty-Eight seconds East (S 79°58'48" E) a distance of One Hundred Four and Fifty Hundredths (104.50) feet, to a point Two-Hundred Fourteen and Forty Hundredths (214.40) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+70.47 thereof;

Thence along the Temporary Construction Easement (Access) Line South Nine degrees Fifty-Three minutes Fifty seconds West (S 9°53'50" W) a distance of Two Hundred Fifty-Three and Thirty-Five Hundredths (253.35) feet, to a point Four-Hundred Sixty-Seven and Ten Hundredths (467.10) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+88.63 thereof;

Thence along the Temporary Construction Easement (Access) Line South Thirty-Six degrees Seventeen minutes Twenty-Six seconds East (S 36°17'26" E) a distance of Forty-Six and Thirty-One Hundredths (46.31) feet, to a point Five-Hundred One and Forty-Seven Hundredths (501.47) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+57.60 thereof;

Thence along the Temporary Construction Easement (Access) Line South Six degrees Fifteen minutes Twenty seconds West (S

6°15'20" W) a distance of Fifty-Eight and Eighty-Eight Hundredths (58.88) feet, to a point Five-Hundred Sixty and Thirty-Five Hundredths (560.35) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+58.08 thereof;

Thence along the Temporary Construction Easement (Access) Line South Twelve degrees Nineteen minutes Twenty-Five seconds West (S 12°19'25" W) a distance of One Hundred Thirty-One and Seventeen Hundredths (131.17) feet, to a point Six-Hundred Ninety and Sixty-Seven Hundredths (690.67) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+73.01 thereof;

Thence along the Temporary Construction Easement (Access) Line South Thirteen degrees Thirteen minutes Forty-Two seconds West (S 13°13'42" W) a distance of Ninety-Two and Twenty Hundredths (92.20) feet, to a point Seven-Hundred Eighty-Two and Nine Hundredths (782.09) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+84.96 thereof;

Thence along the Temporary Construction Easement (Access) Line South Eighteen degrees Fifty-One minutes Fifty-Three seconds West (S 18°51'53" W) a distance of One Hundred Thirty-Three and Twenty- One Hundredths (133.21) feet, to a point Nine-Hundred Eleven and Eighty-Five Hundredths (911.85) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+15.10 thereof;

Thence along the Temporary Construction Easement (Access) Line South Fourteen degrees Fifty-Three minutes Forty-Five seconds West (S 14°53'45" W) a distance of One Hundred Fifty-Two and Twenty-One Hundredths (152.21) feet, to a point One-Thousand Sixty-Two and Fourteen Hundredths (1062.14) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+39.20 thereof;

Thence along the Temporary Construction Easement (Access) Line South Twenty-One degrees Twenty- Six minutes Fifty-Four and seconds West (S 21°26'54" W) a distance of Two Hundred Sixty-Two and Ninety- Seven Hundredths (262.97) feet, to a point One-Thousand Three-Hundred Fifteen and Thirty-Five Hundredths (1315.35) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 330+10.20 thereof;

Thence along the northern Legal Right-of-Way Line of Windsor Street North Seventy-Three degrees Forty- Four minutes Nineteen seconds West (N 73°44'19" W) a distance of Fifteen and Six Hundredths (15.06) feet, to a point One-Thousand Three-Hundred Twelve and Sixty-One Hundredths (1312.61) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 330+25.01 thereof;

Thence along the Temporary Construction Easement (Access) Line North Twenty-One degrees Twenty- Six minutes Fifty-Four seconds East (N 21°26'54" E) a distance of Two Hundred Sixty-Three and Forty- Eight Hundredths (263.48) feet, to a point One-Thousand Fifty-Eight and Ninety-One Hundredths (1058.91) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+53.88 thereof;

Thence along the Temporary Construction Easement (Access) Line North Fourteen degrees Fifty-Three minutes Forty-Five seconds East (N 14°53'45" E) a distance of One Hundred Fifty-One and Eighty-Seven Hundredths (151.87) feet, to a point Nine-Hundred Eight and Ninety-Six Hundredths (908.96) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+29.83 thereof;

Thence along the Temporary Construction Easement (Access) Line North Eighteen degrees Fifty-One minutes Fifty-Three seconds East (N 18°51'53" E) a distance of One Hundred Thirty-Three (133.00) feet, to a point Seven-Hundred Seventy-Nine and Forty-Two Hundredths (779.42) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+99.74 thereof;

Thence along the Temporary Construction Easement (Access) Line North Thirteen degrees Thirteen minutes Forty-Two seconds East (N 13°13'42" E) a distance of Ninety-One and Forty-Six Hundredths (91.46) feet, to a point Six-Hundred Eighty-Eight and Seventy-Three Hundredths (688.73) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+87.89 thereof;

Thence along the Temporary Construction Easement (Access) Line North Twelve degrees Nineteen minutes Twenty-Two seconds East (N 12°19'22" E) a distance of One Hundred Thirty and Ninety-Three Hundredths (130.93) feet, to a point Five-Hundred Fifty-Eight and Sixty-Four Hundredths (558.64) feet southerly and measured

perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+72.98 thereof;

Thence along the Temporary Construction Easement (Access) Line North Six degrees Ten minutes Zero seconds East (N 6°10'00" E) a distance of Fifty-One and Forty-Five Hundredths (51.45) feet, to a point Five-Hundred Seven and Nineteen Hundredths (507.19) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+72.64 thereof;

Thence along the Temporary Construction Easement (Access) Line North Thirty-Six degrees Seventeen minutes Twenty-Six seconds West (N 36°17'26" W) a distance of Forty-Six and Eighty-Eight Hundredths (46.88) feet, to a point Four-Hundred Seventy-Two and Forty Hundredths (472.40) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+04.05 thereof;

Thence along the Temporary Construction Easement (Access) Line North Nine degrees Fifty-Three minutes Fifty seconds East (N 9°53'50" E) a distance of Two Hundred Forty-Four and Seventy-Eight Hundredths (244.78) feet, to a point Two-Hundred Twenty-Eight and Twenty-Five Hundredths (228.25) southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 328+86.50 thereof;

Thence along the Temporary Construction Easement (Access) Line North Seventy-Nine degrees Fifty-Eight minutes Forty-Eight seconds West (N 79°58'48" W) a distance of One Hundred Four and One Hundredth (104.01) feet, to a point Two-Hundred Twenty and Fifty-Seven Hundredths (220.57) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+90.23 thereof;

Thence along the Temporary Construction Easement (Access) Line North Eight degrees Zero minutes Zero seconds East (N 8°00'00" E) a distance of Fifty-Five and Thirty-Four Hundredths (55.34) feet, to a point One-Hundred Sixty-Five and Twenty-Eight Hundredths (165.28) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 329+88.09 thereof;

Thence along the Temporary Construction Easement (Access) Line South Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of Fifteen and One Hundredth (15.01) feet to a point and place of beginning containing Four-

Hundred Thirty-Nine Thousandths (0.439) of an acre of land more or less.

Tract No. 13

(Temporary Construction Easement [Access])

Beginning at a point, northing 236,779.4579 and easting 2,256,811.5658, on the southerly side of State Route 0083, said point being at the intersection of the southern boundary of the proposed Temporary Construction Easement area and the northern boundary of the Temporary Construction Easement (Access), distant One-Hundred Seventy-Four and Sixty-Three Hundredths (174.63) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+77.34 thereof;

Thence along the Temporary Construction Easement (Access) Line South Six degrees Seventeen minutes Two seconds West (S 6°17'02" W) a distance of Five Hundred Thirteen and Seventy-Six Hundredths (513.76) feet, to a point Six-Hundred Eighty-Eight and Thirty-Eight Hundredths (688.38) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+81.81 thereof;

Thence along the Temporary Construction Easement (Access) Line South Fourteen degrees Fifty-Two minutes Six seconds West (S 14°52'06" W) a distance of One Hundred Seventy-Four and Nineteen Hundredths (174.19) feet, to a point Eight-Hundred Sixty and Thirty-Eight Hundredths (860.38) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+09.30 thereof;

Thence along the Temporary Construction Easement (Access) Line South Seven degrees Fifty-Three minutes Thirteen seconds East (S 7°53'13" E) a distance of One Hundred Forty-Five and Thirty-Two Hundredths (145.32) feet, to a point One-Thousand One and Fifty-Eight Hundredths (1001.58) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 331+74.95 thereof;

Thence along the Temporary Construction Easement (Access) Line South Thirteen degrees One minutes Twenty-Five seconds West (S 13°01'25" W) a distance of Two Hundred Seventy-Nine and Two Hundredths (279.02) feet, to a point One-Thousand Two-Hundred Seventy-Eight and Thirty-Eight Hundredths (1278.38) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+10.11 thereof;

Thence along the northern Legal Right-of-Way Line of Windsor Street North Seventy-Three degrees Forty- Four minutes Nineteen seconds West (N 73°44'19" W) a distance of Thirty and Five Hundredths (30.05) feet, to a point One-Thousand Two-Hundred Seventy-Two and Ninety-Two Hundredths (1272.92) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+39.66 thereof;

Thence along the Temporary Construction Easement (Access) Line North Thirteen degrees One minute Twenty-Five seconds East (N 13°01'25" E) a distance of Two Hundred Seventy-One and Sixty-Six Hundredths (271.66) feet, to a point One-Thousand Three and Forty-Two Hundredths (1003.42) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+05.43 thereof;

Thence along the Temporary Construction Easement (Access) Line North Seven degrees Fifty-Two minutes Ten seconds West (N 7°52'10" W) a distance of One Hundred Forty-Five and Ninety-Seven Hundredths (145.97) feet, to a point Eight-Hundred Sixty-One and Fifty-Seven Hundredths (861.57) southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+39.89 thereof;

Thence along the Temporary Construction Easement (Access) Line North Fourteen degrees Fifty-Nine minutes Four seconds East (N 14°59'04" E) a distance of One Hundred Seventy-Five and Sixty-Six Hundredths (175.66) feet, to a point Six-Hundred Eighty-Eight and Seventeen Hundredths (688.17) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+11.81 thereof;

Thence along the Temporary Construction Easement (Access) Line North Six degrees Seventeen minutes Two seconds East (N 6°17'02" E) a distance of Five Hundred Thirteen and Eighty-Two Hundredths (513.82) feet, to a point One-Hundred Seventy-Four and Thirty-Seven Hundredths (174.37) feet southerly and measured perpendicular from the survey & right-of-way centerline of State Route 0083 at or about Station 332+07.34 thereof;

Thence along the Temporary Construction Easement (Access) Line South Eighty-Three degrees Forty-Two minutes Fifty-Eight seconds East (S 83°42'58" E) a distance of Thirty (30.00) feet to a point and place of beginning containing Seven-Hundred Sixty-Four Thousandths (0.764) of an acre of land more or less.

The above eight (8) tracts of land shown on the Pennsylvania Department of Transportation's Drawings Authorizing Acquisition of Right-of-Way for State Route 0083, Section 091 R/W, as temporary construction easement area and access for Route 0083 and designated and delineated as part of Parcel No. 20 on sheets 28 through 30, 32, and 95 through 98 of the said drawings, as recorded in the office for the recording of deeds, etc. in York County, Pennsylvania, in Book 2799 Starting Page 6843, on October 4, 2023, are portions of real estate conveyed by Consolidated Rail Corporation to Pennsylvania Lines LLC by deed dated May 19, 1999, and recorded October 21, 1999, in Deed Book 1380, Page 7202, in the York County Courthouse.

Mile post YX 11 is approximately 4,752 feet north of the State Route 0083 rail crossing. Railroad mile posts increase in a southerly direction.

Railroad valuation stationing is based on valuation map 1332004, specifically the centerline of State Route 0083.

The horizontal control is based on the Pennsylvania State Plane coordinate system, South Zone, North American Datum of 1983 (2011).

4. That in all respects not inconsistent herewith, our Secretarial Letter dated February 16, 2023, shall remain in full force and effect.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive, flowing style.

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: December 19, 2024

ORDER ENTERED: December 19, 2024