

*William Joseph Bortner*

#4-87

RESOLUTION

AND NOW this 9th day of June, 1987, upon due consideration and deliberation of the Supervisors of Washington Township and following a formal vote taken by the Supervisors at a public meeting on the date mentioned above, it is hereby resolved that Washington Township hereby accepts the following road or street as previously dedicated by deed of Cooney Brothers Coal Company, recorded in the Office of the Recorder of Deeds for Cambria County at Deed Book Volume 1186, Page 886:

1. *Park* Road, fifty (50) feet in width, located in Washington Township and running from Washington Township Road 415 to Piper Street near the Lilly Borough, Washington Township line. As described in the survey of Fred Brown, registered surveyor, a copy of such description and map are attached hereto and incorporated by reference.

2. *Park* Road, fifty (50) feet in width, located in Washington Township and extending from the roadway referred to in No. 1, above to Washington Township Road 417 a distance of approximately two hundred seventy-eight (278) feet and as described on the survey of Fred Brown, registered surveyor, a copy of such description and map are attached hereto and incorporated by reference.

East such street being previously dedicated to Washington Township for use as a public road as reflected on the deed of Cooney Brothers Coal Company dated the 29th day of

FILED  
CLERK OF COURTS  
CAMBRIA CO. PA.

JUN 23 3 31 PM '87

April, 1987 and recorded in the Office of the Recorder of Deeds  
of Cambria County at Deed Book Volume 1186, Page 886.

Resolution adopted by the Washington Township  
Supervisors on the date first mentioned above.

ATTEST: (Seal)

Brenda Marsh  
Township Secretary

WASHINGTON TOWNSHIP SUPERVISORS

Anthony J. Furoi  
Michael Brown  
Ed L. Smith

# This Deed,

Made the 29th day of April in the year  
of our Lord one thousand nine hundred eighty-seven (1987)

Between COONEY BOTHERS COAL COMPANY a general partnership,  
organized and existing under the laws of the Commonwealth of  
Pennsylvania and having as its principal office or place of  
business 1207 Fourth Street, Cresson, County of Cambria, State of  
Pennsylvania,

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Grantor

and

WASHINGTON TOWNSHIP, a second class Township duly organized under  
the laws of the State of Pennsylvania located in the County of  
Cambria, Commonwealth of Pennsylvania,

Grantee :

Witnesseth, that in consideration of-----One (\$1.00) Dollar-----

in hand paid, the receipt whereof is hereby acknowledged, the said grantor does hereby  
grant and convey to the said grantee, its successors and assigns,

ALL that parcel of land located partly in Lilly Borough and  
partly in Washington Township.

BEGINNING at a corner of land now or formerly of Robert W. and  
Ann M. Wolfe, said corner being on the south side of Piper  
Street; thence along the south side of Piper Street South 66° 27'  
54" East, 53.94 feet to a point; thence along land of St. Luke's  
Church the three following courses and distances: (1) South 18°  
36' 09" East, 238.11 feet to a point (2) South 42° 15' 09" East,  
204.31 feet to a point (3) South 58° 15' 54" East, 178.79 feet to  
a point; thence along land of St. Luke's Church and further along  
land of Cooney Brothers Coal Company South 67° 00' 54" East,  
560.77 feet to a point; thence along land of Cooney Brothers Coal  
Company South 65° 48' 17" East 171.44 feet to an iron pin corner  
of Lilly Borough Baseball field; thence along land of Lilly  
Borough Baseball Field the two following courses and distances:  
(1) North 26° 50' 00" East, 220.09 feet to an iron pin (2) North  
41° 30' 00" East, 273.44 feet to an iron pin; thence along land  
now or formerly of the Pennsylvania Railroad South 66° 49' 00"  
East, 52.67 feet to a point; thence along land of Cooney Brothers  
Coal Company the twelve following courses and distances and arcs:  
(1) South 41° 30' 00" West, 283.56 feet to a point (2) South 26°  
50' 00" West, 206.98 feet to a point (3) South 64° 20' 51" East,  
73.66 feet to a point (4) South 25° 00' 00" East, 203.35 feet to  
a point (5) South 4° 40' 35" East, 638.95 feet to a point (6)  
South 17° 29' 52" West, 207.08 feet to a point (7) By a tangent  
curve to the left having an arc length of 268.82 feet and a  
radius of 209.95 feet to a point (8) Continuing by the tangent of  
said curve South 55° 51' 42" East, 429.31 feet to a point (9) By  
a tangent curve to the right having an arc length of 195.65 feet  
and a radius of 122.87 feet (10) Continuing by the tangent of said  
curve South 35° 22' 22" West, 629.91 feet to a point (11) South  
11° 18' 22" West, 312.64 feet to a point (12) South 31° 18' 55"  
West 508.77 feet to a point; thence along the north side of T.415  
North 58° 41' 05" West, 50.00 feet to a point; thence along land  
of Cooney Brothers Coal Company the nine following courses and  
distances and arcs; (1) North 31° 18' 55" East 499.95 feet to a  
point (2) North 11° 18' 22" East 314.48 feet to a point (3) North  
35° 22' 22" East, 640.57 feet to a point (4) By a tangent  
curve to the left having an arc length of 116.03 feet and a  
radius of 72.87 feet to a point (5) Continuing by the tangent of  
said curve North 55° 51' 42" West 429.31 feet to a point (6)  
thence by a tangent curve to the right having an arc length of  
332.84 feet and a radius of 259.95 feet to a point (7) North 17°  
29' 52" East 197.28 feet to a point (8) North 4° 40' 35" West  
620.19 feet to a point (9) North 25° 00' 00" West 176.51 feet to  
a pipe corner; thence along land now or formerly of Stanley  
Waksmunski et al North 64° 20' 51" West 276.36 feet to a point;  
thence along land of Frank M. Waksmunski and further along land  
of Edward Waksmunski and further along other land of Frank M.  
Waksmunski and further along land now or formerly of Robert W.

and Ann M. Wolfe North 67° 00' 54" West 562.90 feet to a point; thence continuing along land now or formerly of Robert W. and Ann M. Wolfe the three following courses and distances: (1) North 58° 15' 54" West, 187.48 feet to a point (2) North 42° 15' 09" West, 218.31 feet to a point (3) North 18° 36' 09" West, 282.68 feet to a point, the place of beginning, containing 5.724 Acres, as surveyed by Frederick J. Brown, Professional Land Surveyor 25751 - E

BEING a part of the Timothy John Warrant and Morrell Tract title to which became vested in Cambria Mining and Manufacturing Company by Deed from W. Harold Piper and Eleanor S. Piper bearing date the 1st day of January, 1965 and recorded in the office for recording of deeds etc. in and for Cambria County on the 23rd day of January, 1965 in Deed Book Vol. 802 at page 156.

Being a part of lands encompassed in description 13 on page 27 on Deed from Universal Minerals Inc. et al to Cooney Bros. Coal Co. dated June 15, 1983 and recorded in the office for recording deeds etc. in and for Cambria County on June 16, 1983 in Deed Book Volume 1113 at page 356.

EXCEPTING and RESERVING from this operation of this conveyance all coal, iron ore, fire clay, mineral oil, gas or other mineral underlying said piece or parcel of land with the exclusive right to dig, mine or bore for the same and to remove any part or all thereof through, over or along herein conveyed lands coming from other lands without any liability for damage to the surface or any structure standing or same resulting from such removal, and the right to haul minerals, convey gas, or mineral oil from and to other lands through this tract.

UNDER AND SUBJECT to the conditions, restrictions, reservations, exceptions, easements and rights-of-way contained in prior instruments of record affecting title to said premises.

The herein conveyed lands shall be used for the exclusive use as a Public Road.

NOTICE — THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965).

662 B

# NOTICE

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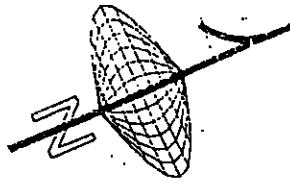
In accordance with the provisions of 100 Pa. Stat. Ann. Subchapter B and Land Conservation Act of 1965, the undersigned hereby certifies that the purchaser and understand that I/we may not be obtaining the right to compensation resulting from coal mining operations and that the purchaser shall be protected from damage due to mine subsidence by a private contract with the owner of the property interest in the coal. I/we further certify that this certification is in compliance with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

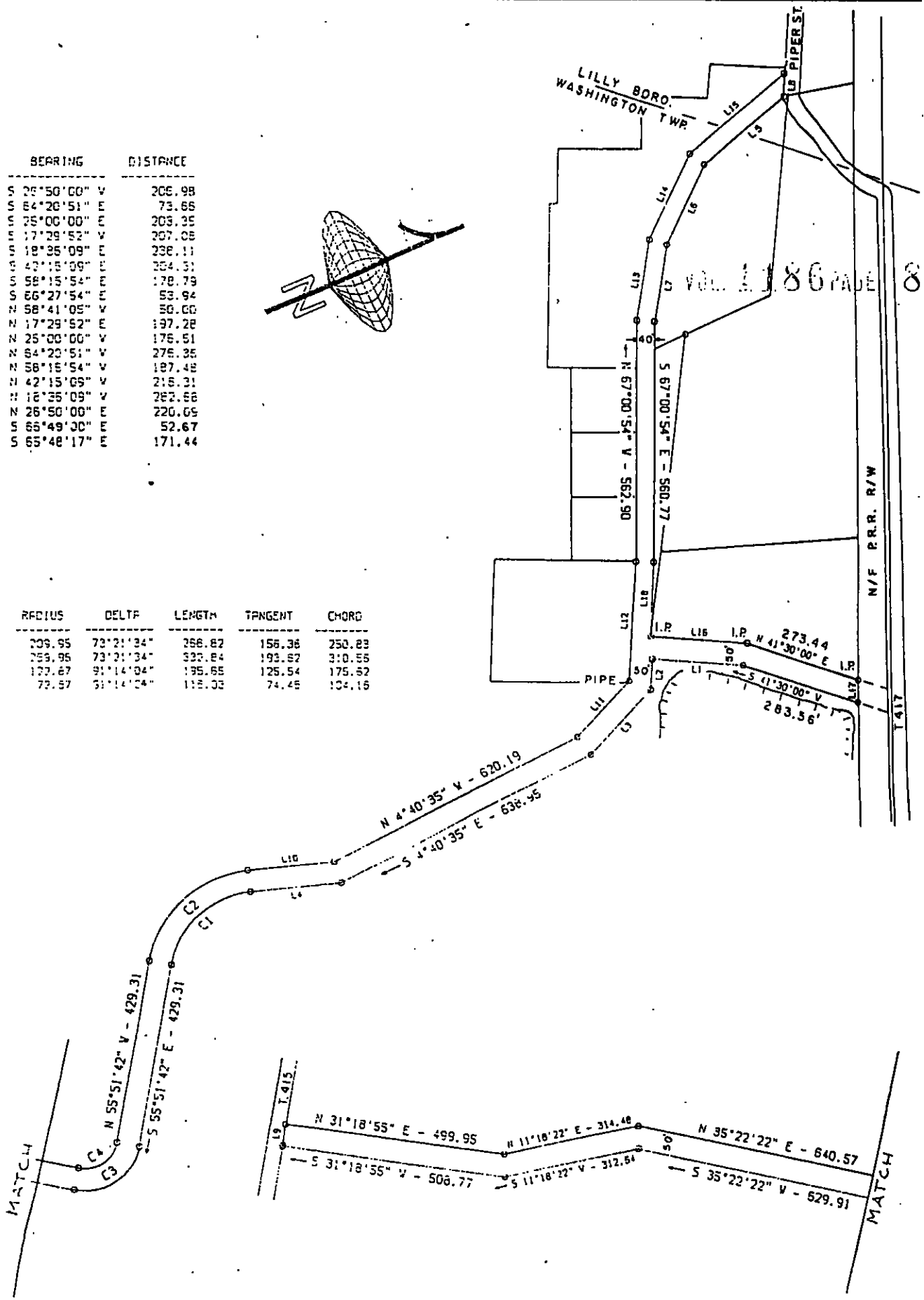
*William Henry Smith*  
*John*

This ..... day of .....

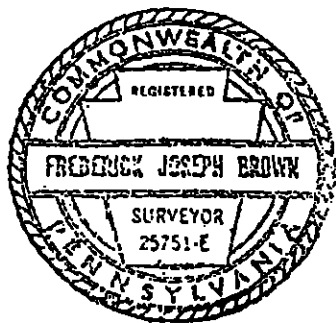
LINE	BEARING	DISTANCE
L1	S 26°50'00" V	206.98
L2	S 64°20'51" E	73.65
L3	S 25°00'00" E	203.35
L4	S 17°29'52" V	207.05
L5	S 18°35'09" E	236.11
L6	S 42°15'09" E	264.31
L7	S 58°15'54" E	178.79
L8	S 66°27'54" E	53.94
L9	N 58°41'05" V	50.00
L10	N 17°29'52" E	197.28
L11	N 25°00'00" V	176.51
L12	N 64°20'51" V	276.35
L13	N 58°15'54" V	187.48
L14	N 42°15'09" V	216.31
L15	N 18°35'09" V	282.68
L16	N 26°50'00" E	220.69
L17	S 65°49'00" E	52.67
L18	S 65°48'17" E	171.44



CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD
C1	209.95	73°21'34"	256.82	156.38	250.83
C2	259.95	73°21'34"	322.84	193.62	310.55
C3	122.67	91°14'04"	135.65	125.54	175.62
C4	72.67	91°14'04"	116.32	74.45	124.16



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PROPOSED WASHINGTON TWP. ROAD		
WASHINGTON TWP., CAMBRIA CO.		
SCALE: 200 FEET/INCH DATE: FEB. 3, 1987	APPROVED BY: F. BROWN	DRAWN BY: COMPUTER REVISED BY:
FREDERICK J. BROWN, P.L.S. RD 1, BOX 58, SIDMAN, PA 15955		
PRICE NO. 31	DRAWING NO. 301	

And the said grantor, does hereby covenant that it will WARRANT specially the property hereby conveyed.

In Witness Whereof, said grantor has hereunto set its hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

*Jessie M. Pfeiffer*

*Paul A. Cooney* SEAL  
Paul A. Cooney  
*Charles M. Cooney* SEAL  
Charles M. Cooney  
*James R. Cooney* SEAL  
James R. Cooney  
*Marcelle A. Cooney* SEAL  
Marcelle A. Cooney

Mail Tax Statements To:

CERTIFICATE OF RESIDENCE

I do hereby certify that the precise residence of the within named grantee is Washington Township c/o Brenda Marsh, Secretary R.D. #1, Box 19, Lilly, Pa. 15938 19 87

*William Henson Berlin Esq*

Attorney for Washington Township

Commonwealth of Pennsylvania

County of Cambria

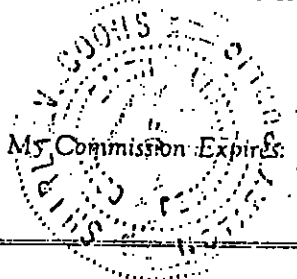
} ss.

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On this, the 17th day of July, 1987, before me,

the undersigned officer, personally appeared Paul A. Cooney, Charles M. Cooney, James R. Cooney and Marcelle A. Cooney, wife of Paul A. Cooney, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



*Jessie M. Pfeiffer* SEAL  
JESSIE M. PFEIFFER  
NOTARY PUBLIC  
CAMBRIA COUNTY  
PENNSYLVANIA  
Notary of Officer.

State of

County of

} ss.

On this, the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me,

the undersigned officer, personally appeared

known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that executed the same for the purposes therein contained

In witness whereof, I hereunto set my hand and official seal.

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My Commission Expires:

Title of Officer.

State of

County of

} ss.

On this, the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me,

the undersigned officer, personally appeared

known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



My Commission Expires:

Title of Officer.

DEED

FROM:

COONEY BROS. COAL CO.

Grantor

TO:

WASHINGTON TOWNSHIP,

Grantee

WARRANTY

LAW OFFICES  
GLEASON, DI FRANCESCO,  
SHAHADE & MARKOVITZ  
SUITE 350 PENN TRAFFIC BUILDING  
JOHNSTOWN, PENNSYLVANIA 15901

COMMONWEALTH OF PENNSYLVANIA,

County of

Cambria

} ss.

RECORDED on this 7th day of May

A. D. 1937, in the Recorder's office of said County, in Deed Book

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Given under my hand and the seal of the said office, the date above written.

# 6251  
1:30 PM

F Joseph Hank Recorder.