

20-04-96
15.00 fee, P298
paid

DEED OF DEDICATION

THIS INDENTURE, made the 22nd day of March, 1994, by and between:

BERWIND CORPORATION, a corporation organized and existing under and by virtue of the laws of the Commonwealth of Pennsylvania, hereinafter referred to as Grantor,

-and-

ADAMS TOWNSHIP, a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having its principal office in Sidman, Cambria County, Pennsylvania, hereinafter referred to as Grantee.

WITNESSETH:

That the said Grantor, for and in consideration of the advantage to them accruing as well as for numerous other considerations affecting the public welfare which they seek to advance, has granted, bargained, sold, aliened, enfeoffed, released and confirmed and by these presents does grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, its successors and assigns:

ALL that certain piece or parcel of ground situate in Adams Township, Cambria County, Pennsylvania, bounded and described as follows:

BEGINNING at a point being the most southerly corner of land now or formerly of Colech Enterprises along the east side of LR 11096, thence along land now or formerly of Colech Enterprises the two following courses and distances: North 69 degrees, 16 minutes, 00 seconds East 161.44 feet to a point and North 51 degrees, 23 minutes, 00 seconds East 277.50 feet to a point on the southerly side of a 40-foot wide street, thence along the easterly end of said street North 51 degrees, 23 minutes, 00 seconds East 46.25 feet to a point and corner of land now or formerly of Colech Enterprises North 50 degrees, 30 minutes, 00 seconds East 429.23 feet to a point and corner of land of Grantor; thence along land of the Grantor the three following courses and distances: North 50 degrees, 30 minutes 00 seconds East 235.28 feet to a point; North 55 degrees, 14 minutes, 00 seconds East 565.87 feet to a point; North 57 degrees, 55 minutes, 00 seconds East 91.29 feet to a point; thence continuing along land of Grantor by an arc to the left having an arc length of 39.51 feet, a radius of 15.00 feet, a chord bearing of North 17 degrees, 32 minutes, 30 seconds West, and a chord length of 29.04 feet to a point; thence along the southerly side of T300 North 87 degrees, 00 minutes, 00 seconds East 140.12 feet to a point,

JAN 26 10 24 AM '96

FILED
CLERK OF COURTS
CAMBRIA CO. PA.

VOL. 1392 PAGE 435

thence along land of Grantor the five following courses and distances: South 57 degrees, 55 minutes, 00 seconds West 220.17 feet to a point; South 55 degrees, 14 minutes, 00 seconds West 563.21 feet to a point; South 50 degrees, 30 minutes, 00 seconds West 663.17 feet to a point; South 51 degrees, 23 minutes, 00 seconds West 330.35 feet to a point; South 69 degrees, 16 minutes, 00 seconds West 197.67 feet to a point on line of land now or formerly of the Grantee, thence along land now or formerly of the Grantee North 20 degrees, 11 minutes, 00 seconds West 6.81 feet to a point; thence along the easterly side of LR 11096 North 21 degrees, 15 minutes, 00 seconds East 44.65 feet to a point, the place of beginning. **Containing 1.778 acres, more or less, as shown on a survey map prepared by F. J. Brown, RLS, dated January 31, 1992 and recorded on January 1st, 1996 in Cambria County *map* Book Volume 9, Pages 2-A.
2-B**

BEING part of a larger parcel or tract of land, title to which became vested in The Wilmore Coal Company by deed of The Berwind-White Coal Mining Company to The Wilmore Coal Company dated December 4, 1959 and recorded in the office for the recording of deeds in and for Cambria County on January 7, 1960 in Deed Book Volume 736, Page 745, being a portion of Parcel No. 11 therein.

AND The Wilmore Coal Company having since been merged into The Berwind-White Coal Mining Company pursuant to Articles of Merger filed in the office of the Secretary of the Commonwealth of Pennsylvania January 31, 1963. Said Articles of Merger were also recorded on November 14, 1963 at the Cambria County Courthouse, Ebensburg, Pennsylvania, in Miscellaneous Book Volume 28, Page 661. The Berwind-White Coal Mining Company changed its name to Berwind Corporation, the Grantor herein, as of January 2, 1967 by amendment to its Articles of Incorporation, which was filed with the Department of State of the Commonwealth of Pennsylvania on January 2, 1967.

UNDER AND SUBJECT to a 20-foot wide sewer line right-of-way granted by Berwind Corporation to the Adams Township Municipal Authority dated February 12, 1975 and recorded in the office for the recording of deeds in and for Cambria County in Deed Book Volume 984, Page 216.

UNDER AND SUBJECT to any and all easements affecting the premises hereby conveyed, including but not limited to the right to maintain existing pipelines and telephone and power lines together with the free and perpetual right of ingress, egress and regress to maintain, repair and remove the same.

ALSO UNDER AND SUBJECT to an easement appurtenant for access and heavy hauling purposes granted by the Grantor herein to Inter-Power/Ahlcon Partners, L.P. (hereinafter referred to as "IP/AHLCON") over the within described piece or parcel of ground, (hereinafter referred to as the "Roadway"), by its Deed dated February 24, 1993 and recorded in the Cambria County Recorder's Office in Deed Book Volume 1278 Page 168, in connection with the conveyance of certain tracts of land more fully described therein; and, by accepting this Deed of Dedication, the Grantee covenants with Grantor and IP/AHLCON that (1) no weight limits or other restrictions will be placed upon the Roadway which would, in any way, limit or restrict IP/AHLCON, or the Grantor, or their respective successors, assigns, contractors, lessees or licensees from the full use and unrestricted enjoyment of the roadway and (2) the said Roadway will always remain open and maintained as a public roadway to its intersection with the state highway, now or formerly, known as L.R. 11096 and Grantee's road, now or formerly, known as T-300.

PROVIDED, HOWEVER, that in the event that Grantee places or causes a weight limit or other restrictions to be placed on said Roadway, or in the event Grantee fails to keep said Roadway open and maintained as a public roadway to its intersection with the state highway, now or formerly known as LR 11096 and Grantee's road, now or formerly known as T-300, title to the land herein conveyed shall automatically revert to Grantor, its successors and assigns.

EXCEPTING AND RESERVING unto the Grantor, its successors, lessees and assigns, all of the coal, oil, gas and minerals, together with the free, entire, exclusive, perpetual and unrestricted right to mine, remove and carry away throughunder the land hereby conveyed, all of the coal, oil, gas and minerals, including the pillars, that are or may be found in, on or underlying the same, together with the right to drain ventilate the mines from which said coal, oil, gas and minerals are mined and removed, and also the perpetual right to pass throughunder the surface of said tract of land in all directions for the purpose of mining and removing and carrying away all of the said coal, oil, gas and minerals, including the pillars, or any of them, from tracts of land now owned or controlled of hereafter acquired by the Grantor, its successors, lessees and assigns.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER OR INCLUDE OR INSURE THE TITLE TO THE COAL UNDERNEATH AND THE RIGHT OF SUPPORT OF 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, EVEN THOUGH IN SO DOING DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND TO ANY HOUSES, BUILDINGS OR STRUCTURES IN, ON OR UNDER SUCH LAND.

RESOLUTION 1995 - 13

ROAD ACCEPTANCE RESOLUTION OF THE
ADAMS TOWNSHIP BOARD OF SUPERVISORS

WHEREAS, BERWIND CORPORATION, a Pennsylvania corporation, has by the attached deed, which is incorporated by reference herein and marked for identification purposes as Exhibit "A", dedicated to the Township of Adams, a piece or parcel of land containing 1.788 acres, more or less for the purpose of establishing a public street 40 feet wide for an extension of a Township Route known and numbered as TR-300;

WHEREAS, the Township of Adams Board of supervisors are authorized and empowered to accept by resolution in the name of the Township of Adams, any land dedicated by deed to the Township to be used as a road, street or alley pursuant to 53 P.S. Section 66140;

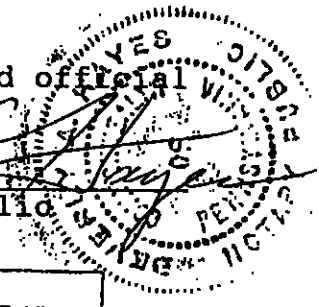
NOW THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED that the piece or parcel of land containing 1.788 acres, more or less, more specifically described in Exhibit "A" attached hereto, which is made a part hereof by reference, is hereby accepted as and for a public street 40 feet wide for an extension of Township Route 300 (TR-300) in accordance with the authority granted the Adams Township Board of Supervisors by 53 P.S. Section 66140.

STATE OF PENNSYLVANIA)
COUNTY OF PHILADELPHIA)

On this, the 22nd day of March, 1994, before me, a Notary Public, the undersigned officer, personally appeared R. D. Rivers, who acknowledged himself to be a Vice President of Berwind Corporation, a corporation, and that he as such Vice President, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as Vice President.

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

Beverly A. Hayes
Notary Public



NOTARIAL SEAL
BEVERLY A. HAYES, Notary Public
City of Philadelphia, Phila. County
My Commission Expires April 23, 1994

Commonwealth of Pennsylvania } s.s.
County of Cambria 41

Recorded on this 4 day of January
A.D. 1996 in Record
Book Vol. 1392 Page 441 Given under my
hand and seal of said office

Andrea F. Sims
Recorder

#171
2:34 p.m.



VOL. 1392 PAGE 441

AND FURTHER, a true and correct copy of this Resolution shall be recorded with the above-mentioned deed in the Office of the Recorder of Deeds in and for Cambria County, Pennsylvania.

IN WITNESS WHEREOF, we hereunto set our hands and seals this 13th day of December, 1995.

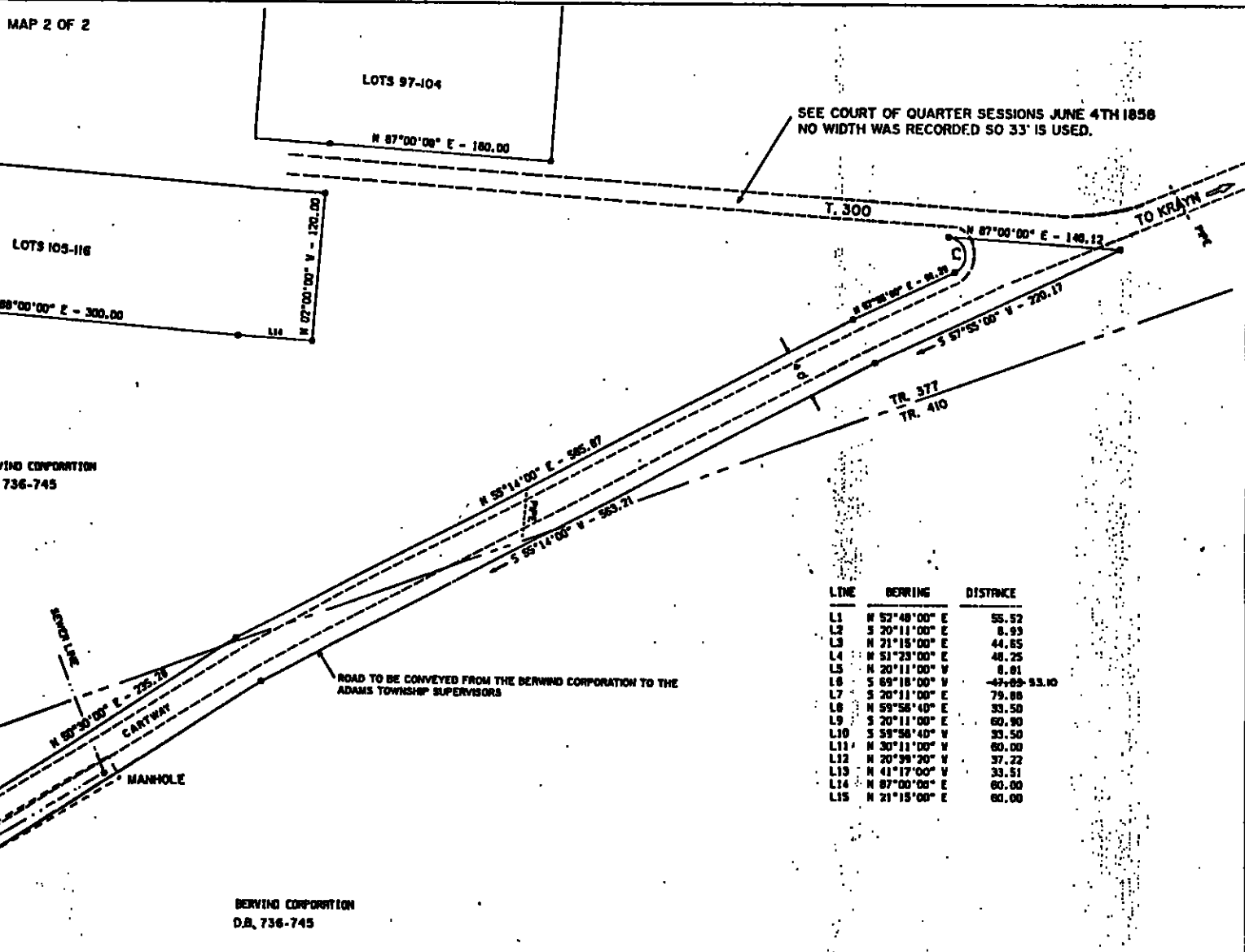
ATTEST:

Diana Baytin
Secretary

ADAMS TOWNSHIP BOARD OF SUPERVISORS:

Dennis Beland
Joseph Stozia
Dennis J. Hyde *Adm. #*
Will E. Kelle *Keller*
Charles E. Weyandt *Weyandt Jr.*

MAP 2 OF 2



SEE COURT OF QUARTER SESSIONS JUNE 4TH 1858
NO WIDTH WAS RECORDED SO 33' IS USED.

LINE	BEARING	DISTANCE
L1	N 57°40'00" E	55.52
L2	S 20°11'00" E	8.93
L3	N 21°15'00" E	44.85
L4	N 51°23'00" E	48.25
L5	N 20°11'00" V	8.81
L6	S 69°18'00" V	45.89-53.10
L7	S 20°11'00" E	79.86
L8	N 59°58'40" E	33.50
L9	S 20°11'00" E	60.90
L10	S 59°58'40" V	33.50
L11	N 30°13'00" V	60.00
L12	N 20°39'00" V	37.22
L13	N 41°17'00" V	33.51
L14	N 87°00'00" E	60.00
L15	N 21°15'00" E	60.00

CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD/BIS
C1	15.00	150°55'00"	39.51	57.83	29.84	N 17°32'30" V

APPROVED BY THE BOARD OF SUPERVISORS
of ADAMS TOWNSHIP on the 5th day of
December 1998

Joseph M. Brown
Charles E. Wagoner

BY ME, THE 13 DAY OF Dec 1998 BEFORE ME, THE UNDERSIGNED OFFICER,
PERSONALLY APPEARED **ARTHUR T. FROST**
WHO BEING DULY SWORN ACCORDING TO LAW, INFORMED AND SAID THAT HE IS THE OWNER
AND IS FULLY OWNED BY THE PROPERTY SHOWN ON THIS PLAN, AND THAT HE HEREBY
ACKNOWLEDGES THE AGEN TO BE HONORABLE ACT AND PLAN AND BEARIN THAT SAME TO BE RECORDED
AS SUCH ACCORDING TO THE LAW, AND THAT ALL FRONTS, AND CORNERS SHOWN AND NOT
MENTIONED BEING AND BEING INDICATED TO THE PUBLIC USE.

COMMONWEALTH OF PENNSYLVANIA 551
COUNTY OF CAMBRIA
RECORDED THIS 4 DAY OF January 1998 IN THE OFFICE FOR
THE RECORDING OF DEEDS AND RECORDS, EUREKA, PA IN
BOOK 9, PAGES 2A, 2-B
Arden F. Sims
RECORDER

MATCH TO MAP 102

Nichole Caplan
REGISTRY FILING

Account Card 1-4-98 Map Book
206 182
14 435
14 2A

RECORDER OF DEEDS SEAL

KEY MAP

FREDERICK J. BROWN
P.L.S.

PLAN FOR ROAD ACQUISITION NEAR
MINE #42 - EUREKA

FILED IN	APPROVED BY	INDEX BY
DATE	F. BROWN	RECORDS
JUN 21, 1998		JAN DEC 1998

ADAMS TWP., CAMBRIA CO., PA
FREDERICK J. BROWN, P.L.S.

04-96

MAP 1 OF 2



Edward Joseph Brown

"MINE #42 - EUREKA"

