



60 2009 00001 152

Allegheny County  
Valerie McDonald Roberts  
Department of Real Estate  
Pittsburgh, PA 15219

Instrument Number: 2009-1152

Recorded On: January 16, 2009

As-Deed Right of Way

Parties: FORTUNA JOHN A

To HUNTLEY & HUNTLEY INC

# of Pages: 3

Comment:

**\*\*DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT\*\***

Deed Right of Way	45.00
Pages > 4	0
Names > 4	0
<b>Total:</b>	<b>45.00</b>

Valerie McDonald Roberts, Manager		-	BLOCK AND LOT NUMBER
Date: / /	- Int. By:	<b>R OF W</b>	
1-20-2009	KS		

I hereby certify that the within and foregoing was recorded in the Department of Real Estate in Allegheny County, PA

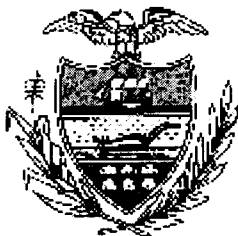
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File Information:

Record and Return To:

Document Number: 2009-1152  
 Receipt Number: 1267205  
 Recorded Date/Time: January 16, 2009 02:38:15P  
 Book-Vol/Pg: BK-DE VL-13837 PG-85  
 User / Station: C Carson - Cash Super 06

HUNTLEY & HUNTLEY INC  
 PENN OFFICE BUILDING STE 100  
 4314 OLD WILLIAM PENN HWY  
 MONROEVILLE PA 15146



Valerie McDonald Roberts, Manager  
Dan Onorato, Chief Executive

This instrument should be returned to  
Huntley & Huntley, Inc.  
Penn Office Building, Suite 100  
4314 Old William Penn Hwy  
Monroeville, PA 15146

**PIPELINE RIGHT-OF-WAY**

**THIS AGREEMENT**, made the 26<sup>th</sup> day of August, 2008, by  
John A. & Norene E. Fortuna h/w, as *Grantor(s)*,  
and  
~~██████████~~ **Huntley & Huntley, Inc.** hereinafter referred to as *Grantee*.

**WITNESSETH**, that in and for consideration of Ten Dollars (\$10.00) paid to Grantors, the receipt of which is acknowledged, Grantors do hereby grant unto Grantee, its successors and assigns, with special warranty, the right of way to lay, maintain, operate, replace, and remove a pipeline with fittings and appliances for the transportation of water, oil, gas, and other products from this or other lands, upon and over those certain lands situate in the Township of Fawn, Allegheny County, Pennsylvania, bounded substantially by lands now or formerly owned as follows:

**Tax ID Parcel Number 2015-P-217, being 76.00, acres more or less,**

- On the North by the Lands of Small Lots; Millerstown Culmerville Rd.
- On the East by the Lands of Small Lots; Christy
- On the South by the Lands of Pollino; Small Lot
- On the West by the Lands of Kutchko; Bielawski;

together with the right of ingress and egress to and from said right of way; together also with the right and privilege of using said lands for the purpose of transporting pipe, material, machinery, and equipment to and from other lands in and about the construction, maintenance, operation, replacement, and removal of the pipeline to be constructed hereunder; together also with the right at any time to replace said pipeline; and together also with the right to install, maintain, and replace on said pipeline devices for cathodic protection, test stations, and bonding cables. Grantor and Grantee shall mutually approve the location of all pipeline(s), same of which will not be unilaterally withheld. At such time as this Pipeline Right-of-Way is utilized, Grantee shall pay to Grantor as further consideration, One Dollar (\$1.00) per foot of Right-of-Way actually installed/laid.

The Grantors, their heirs and assigns, shall use and enjoy said lands except for the purposes herein granted to Grantee, which hereby agrees to pay for any damages to crops and fences arising from the installation, maintenance, operation, replacement, and/or removal of said pipeline. The location of all pipeline(s) shall be by mutual consent same of which shall not be unilaterally denied. Notwithstanding anything to the contrary, it is agreed that Lessee must first have drilled a well on the leased premises or lands pooled therewith, in order to utilize this pipeline right-of-way provision.

\_\_\_\_\_

**WITNESS** the following signatures and seals.

Witness

\_\_\_\_\_

\_\_\_\_\_

*John A. Fortuna*  
\_\_\_\_\_  
John A. Fortuna

*Norene E. Fortuna*  
\_\_\_\_\_  
NORENE E. FORTUNA

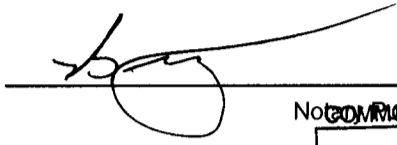
**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF Pennsylvania )

COUNTY OF ALLEGHENY )

On this, the 26<sup>th</sup> day of AUGUST, 20 08, before me, the undersigned officer, personally appeared John A. & Norene E. Fortuna h/w, known to me to be the person(s) whose name(s) is/ are subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

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



SEAL

**My Commission Expires:**

Notary Public  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Brett E. Morgan, Notary Public  
Clarion Boro, Clarion County  
My Commission Expires Oct. 19, 2009  
Member, Pennsylvania Association of Notaries

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

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

\_\_\_\_\_  
Notary Public

SEAL

**My Commission Expires:**