

SEP 27 1978

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THIS INDENTURE, made the—25th— day of—September—in the year of our Lord, one thousand nine hundred and seventy-eight (1978),  
BETWEEN CONSOLIDATED RAIL CORPORATION, a corporation of the Commonwealth of Pennsylvania, having an office at Six Penn Center Plaza, Philadelphia, Pennsylvania 19104, hereinafter called "Grantor", and the PORT AUTHORITY OF ALLEGHENY COUNTY, a body corporate and politic, organized and existing under the laws of said Commonwealth, having an office at 2235 Beaver Avenue, Pittsburgh, Pennsylvania 15233, hereinafter called the "Grantee".

WITNESSETH, that the said Grantor, for and in consideration of the sum of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) lawful money of the United States of America, unto Grantor well and truly paid by the said Grantee, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said Grantee, its successors and assigns,

ALL THOSE CERTAIN pieces, parcels and tracts of land, together with certain improvements constructed and located thereon, situate and being in the 2nd, 5th, 6th, 7th, 8th, 11th, 12th, 13th and 14th Wards in the City of Pittsburgh and in the 1st, 2nd and 3rd Wards in the Borough of Wilkinsburg, Allegheny County and Commonwealth of Pennsylvania, and being generally bounded and described in accordance with Grantor's plan entitled "East Busway Property Conveyed From Conrail" sheets 1 through 12 dated 8/23/78 attached hereto as Exhibit "A", and Grantor's Real Estate Case Plan No. 65250 Sheets 1 through 7, dated September 15, 1978, being the copies of the former Pennsylvania Railroad Company Valuation Maps V-17.2/18, V-17.2/17, V-17.2/16, V-17.2/15, V-17.2/14, V-17.2/13 and V-17.2/12, as follows, to wit:

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RECORDS OF DEEDS  
-1- ALLEGHENY COUNTY, PA.

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DESCRIPTION ONE

Situated in the 2nd Ward of the City, County and Commonwealth aforesaid (Val. Map V-17.2/18),

BEGINNING at a point located on the southeasterly line of Grant Street and the northerly corner of property of the United States Post Office; Thence (1) in a northeasterly direction along the southeasterly line of Grant Street a distance of 90 feet, more or less, to a point; Thence (2) in a southeasterly direction along the centerline of a common driveway, a distance of 63 feet, more or less, to a point of curvature in said driveway; Thence (3) on a curve to the left having a radius of 314 feet, more or less, an arc distance of 149 feet, more or less, along the Busway right of way line to a point on the northerly line of property of the Trustees of Penn Central Transportation Company; Thence (4) in a westerly direction along the northerly line of property of the Trustees of the Penn Central Transportation Company, a distance of 150 feet, more or less, to a point on the northeasterly line of property of the United States Post Office; Thence (5) in a northwesterly direction along the northeasterly line of property of the United States Post Office, the same being the existing westerly property line of Grantor, a distance of 107 feet, more or less, to the southeasterly line of Grant Street and the place and point of beginning.

EXCEPTING and RESERVING, however, unto the said Grantor, a permanent and perpetual easement for ingress and egress, to and from Grant Street from and to remaining property of Grantor, said easement being more particularly described as follows, to wit: \_\_\_\_\_

BEGINNING at a point located on the southeasterly line of Grant Street, said point being 90 feet, more or less, northeasterly from the northerly corner of property of the United States Post Office; Thence (1) in a southeasterly direction a distance of 63 feet, more or less, to a point of curvature; Thence (2) by a curve to the left having a radius of 314 feet, more or less, an arc distance of 149 feet, more or less, to a point on the northerly line of property of the Trustees of Penn Central Transportation Company; Thence (3) in a westerly direction along the northerly line of property of the Trustees of Penn Central Transportation Company a distance of 45 feet, more or less, to a point; Thence (4) by a curve in a northwesterly direction through property herein conveyed to the said Grantee from a point on a curve, intersecting the northerly line of property of the Trustees of Penn Central Transportation Company having a radius of 175 feet, more or less, an arc distance of 76 feet, more or less, to a point of tangency on the northerly face of an existing wall; Thence (5) continuing in a northwesterly direction along the face of said wall a distance of 105 feet, more or less, to the southeasterly line of Grant Street; Thence (6) in a northeasterly direction along the southeasterly line of Grant Street a distance of 48 feet, more or less, to the point of beginning.

AND, the said Grantor, for the consideration aforesaid, does hereby grant unto the said Grantee, its successors and assigns, a perpetual easement for ingress and egress over the following described parcel:

ALL THAT CERTAIN parcel of land, situate in the 2nd Ward in the City, County and Commonwealth aforesaid (Val Map V-17.2/18), BEGINNING at a point located on the southeasterly line of Grant Street said point being 90 feet, more or less, from the northerly corner of property of the United States Post Office and Grant Street; Thence (1) in a northeasterly direction along the southeasterly line of Grant Street a distance of 30 feet, more or less, to a point; Thence (2) in a southeasterly direction through lands of Grantor, a distance of 63 feet, more or less, to the point of curvature; Thence (3) in a southeasterly direction by a curve to the left, arc distance of 225 feet, more or less, to a point not tangent and on the northerly property line of the Trustees of Penn Central Transportation Company; Thence, (4) in a westerly direction along the northerly line of property of the Trustees of Penn Central Transportation Company, a distance of 85 feet, more or less, to a point; Thence (5) in a northwesterly direction, leaving the property line of the Trustees of Penn Central Transportation Company, by a curve to the right, having a radius of 314 feet, more or less, an arc distance of 149 feet, more or less, to a point of tangency; Thence (6) continuing in a northwesterly direction a distance of 63 feet, more or less, to the point of beginning.

AND also conveying to the said Grantee the area identified generally in Exhibit "A" as "Liberty Ave. Widening" for the express purpose of widening a portion of Liberty Avenue in a strip of land of varying widths on the southeasterly side of the intersection of Liberty Avenue and Grant Street to accommodate the widening and sidewalk construction on said Avenue and Street; EXCEPTING and RESERVING unto the said Grantor a permanent and perpetual easement in the area identified generally in Exhibit "A" as "Liberty Ave. Widening" until such time as the condition of Item "C" of Article XV of the Agreement of Sale (Exhibit "B") between the parties hereto has been fulfilled.

DESCRIPTION TWO

Situate in the 2nd Ward of the City, County and Commonwealth aforesaid (Val Map V-17.2/18),

BEGINNING at a point on curve, said point being the intersection of the westerly right of way line of the Cross-Town Boulevard, L.R. 1026, the northerly line of property of the Trustees of Penn Central Transportation Company; Thence (1) in a westerly direction along the northerly line of property of the Trustees of Penn Central Transportation Company, the same being the southerly property line of the right of way of Grantor, a distance of 320 feet, more or less, to a point of curve; Thence (2) continuing in a westerly direction along the northerly line of property of the Trustees of Penn Central Transportation Company, by a curve to the right a distance of 178 feet, more or less, to a point on curve; Thence (3) continuing in a westerly direction along the northerly line of Grantor's property, a distance of 28 feet, more or less, to a point on curve; Thence (4) in a northeasterly direction by a curve to the left, along the northerly Busway right of way line, a distance of 130 feet, more or less, to a point of tangency; Thence (5) in a northeasterly direction along the northerly Busway right of way line, said line being on the southerly face of Grantor's Pittsburgh Station, and through the lands of Grantor a distance of 425 feet, more or less, to a point on curve of the westerly proposed right of way line of the Cross-Town Boulevard, L.R. 1026; Thence (6) in a southerly direction by a curve to the right along the westerly right of way line of the Cross-Town Boulevard, L.R. 1026, a distance of 38 feet, more or less, to the point and place of beginning.

DESCRIPTION THREE

Situate in the 2nd Ward, City, County and Commonwealth aforesaid (Val. Map V-17.2/18),

BEGINNING at a point located on the existing southerly right of way line of Grantor, which point is 480 feet, more or less, in an easterly direction from Mile Post 353, the same being on the northwesterly right of way line of the Cross-Town Boulevard (L.R. 1026) said point also being 600 feet, more or less, southwesterly from the westerly wall of Pitt Tower; Thence (1) in a northwesterly direction along the right of way line of Grantor and the easterly property line of the Trustees of Penn Central Transportation Company a distance of 70 feet, more or less, to a point; Thence (2) in a southwesterly direction by the existing right of way line of Grantor a distance of 140 feet, more or less, to a point on the dividing line between the properties of the Trustees of the property of Penn Central Transportation Company and National Railroad Passenger Corporation; Thence (3) in a northeasterly direction along property of the National Railroad Passenger Corporation and the existing right of way line of Grantor a distance of 395 feet, more or less, to a point; Thence (4) in a northwesterly direction along the right of way of Grantor and property of the National Railroad Passenger Corporation a distance of 40 feet, more or less, to a point, the same being at a right angle a distance of 57 feet, more or less, from the east bound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, said point being on the northerly Busway right of way line; Thence (5) in a northeasterly direction along the northerly Busway right of way line a distance of 1225 feet, more or less, to a point, said point being at a right angle to and distance of 18.5 feet south from the eastbound track construction centerline, said point being on the southwesterly line of 17th Street extended; Thence (6) in a southeasterly direction crossing the Busway right of way line a distance of 203 feet, more or less, to a point on the southerly existing right of way line of Grantor and along 17th Street extended, the same being the southerly Busway right of way line

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and the northwesterly line of Bigelow Boulevard; Thence (7) along the existing southerly right of way line of Grantor by the following various (a to u) directions and distances: (a) southwesterly 20 feet, more or less; (b) northwesterly 45 feet, more or less; (c) southwesterly 60 feet, more or less; (d) southeasterly 35 feet, more or less; (e) southwesterly 160 feet, more or less; (f) northwesterly 35 feet, more or less; (g) southwesterly 20 feet, more or less; (h) southeasterly 35 feet, more or less; (i) southwesterly 40 feet, more or less; (j) northwesterly 35 feet, more or less; (k) southwesterly 20 feet, more or less; (l) southeasterly 35 feet, more or less; (m) southwesterly 20 feet, more or less; (n) northwesterly 35 feet, more or less; (o) southwesterly 45 feet, more or less; (p) southeasterly 25 feet, more or less; (q) southwesterly 40 feet, more or less; (r) northwesterly 20 feet, more or less; (s) southwesterly 81 feet, more or less; (t) southeasterly 7 feet, more or less, to the northerly line of Bigelow Boulevard; thence continuing in a southwesterly direction along the northwesterly line of Bigelow Boulevard, the same being the southerly existing right of way of the Grantor and the southerly Busway right of way line a distance of 455 feet, more or less, to a point; Thence (8) in a westerly direction along the easterly right of way line of the Cross-Town Boulevard, L.R. 1026, a distance of 510 feet, more or less, to the point of beginning.



EXCEPTING and RESERVING therefrom and thereout unto the said Grantor, its successors and assigns, all the right, title and interest in and to

ALL THAT CERTAIN lot, piece or parcel of land with improvements, situate in the 2nd Ward, City, County and Commonwealth aforesaid, being the Pitt Tower land, building and improvements and the area immediately adjacent to Pitt Tower,

BEGINNING at a point on the northeasterly corner of the parcel herein described, said point being south  $37^{\circ} 46' 57''$  East a distance of 190 feet, more or less, from Station 1217 + 20 on the Westbound Track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County; Thence (1) by a line parallel to and 20 feet, more or less, northeasterly of the northeasterly face of Pitt Tower S.  $37^{\circ} 46' 57''$  East, a distance of 50 feet, more or less, to a point; Thence (2) by a line parallel to and five (5) feet, more or less, southeasterly from the face of Pitt Tower North  $52^{\circ} 13' 03''$  west a distance of 250 feet, more or less, to a point; Thence (3) N.  $37^{\circ} 46' 57''$  W. a distance of 50 feet, more or less, to a point; Thence (4) N.  $52^{\circ} 13' 03''$  E. a distance of 250 feet, more or less, to the point of beginning of this Excepted and Reserved parcel, containing 12,500 square feet, more or less.

TOGETHER with a permanent and perpetual easement for access to and from the Pitt Tower area for both vehicular and pedestrian ingress and egress to and from said tower and a permanent and perpetual easement for any pipes, wires, poles, cables, culverts, drainage courses or systems and their appurtenances necessary for the operation, maintenance and use of Pitt Tower.

DESCRIPTION FOUR

Situate in the 2nd Ward of the City, County and Commonwealth aforesaid (Val. Maps V-17.2/17 and V-17.2/18),

BEGINNING at a point located on the extended southwest line of 17th Street (40 feet wide) from the northerly line of Liberty Avenue a distance of 200 feet, more or less, also being at a right angle a distance of 18.5 feet southeasterly from the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County and said point also being on the northwesterly line of the East Busway right of way; Thence (1) in a northeasterly direction along the northerly Busway right of way line, said line being 18.5 feet southeasterly from and radial and parallel to the aforementioned eastbound track construction centerline, a distance of 2,925 feet, more or less, to a point said point being 240 feet, more or less, west of Mile Post 352; Thence (2) in a southeasterly direction crossing the Busway right of way a distance of 243 feet, more or less, to a point in the centerline of existing Tower Street, said point being on the existing southerly right of way line of Grantor; Thence (3) in a westerly direction by various directions and distances along the existing southerly right of way line of Grantor and the centerlines of Tower and Tyrone Streets a distance of 705 feet, more or less, to a point; Thence (4) leaving Tyrone Street in a northwesterly direction by the existing southerly right of way line of Grantor a distance of 205 feet, more or less, to a point; Thence (5) in a southwesterly direction by the existing southerly right of way line of Grantor a distance of 190 feet, more or less to a point; Thence (6) in a southeasterly direction by the existing southerly right of way line of Grantor a distance of 127 feet, more or less, to a point on the northerly line of Tyrone Street and the existing southerly right of way line of Grantor;—

Thence (7) in a southwesterly direction by various directions and distances along the existing southerly right of way line of Grantor and the northerly lines of Tyrone Street and Bigelow Boulevard a distance of 1,450 feet, more or less, to a point; Thence (8) along the existing southerly right of way line of Grantor by the following various (a to q) directions and distances: (a) northwesterly 110 feet, more or less; (b) southwesterly 80 feet, more or less; (c) southeasterly 110 feet, more or less; (d) southwesterly 80 feet, more or less; (e) northwesterly 80 feet, more or less; (f) southwesterly 80 feet, more or less; (g) southeasterly 80 feet, more or less; (h) southwesterly 20 feet, more or less; (i) northwesterly 80 feet, more or less; (j) southwesterly 25 feet, more or less; (k) southeasterly 80 feet, more or less; (l) southwesterly 250 feet, more or less; (m) northwesterly 45 feet, more or less; (n) southwesterly 40 feet, more or less; (o) southeasterly 45 feet, more or less; (p) southwesterly 45 feet, more or less; (q) northwesterly 45 feet, more or less; Thence (9) in a southwesterly direction by the existing southerly right of way line of Grantor, a distance of 40 feet, more or less, to a point; Thence (10) in a northwesterly direction crossing the Busway right of way line along the southeasterly line of 17th Street extended, a distance of 158 feet, more or less, to the point of beginning.

ALSO, granting to Grantee a permanent aerial easement over property of the Grantor generally described as follows:

A strip of land 60 feet, more or less, wide, the center-line of which is about 120 feet, more or less, southwest of the extended southwest line of 24th Street, and running at a right angle to the Busway right of way line; Together with the right of the Grantee to construct and maintain piers and walls necessary for the support of an overhead bridge; it being expressly understood that any construction for any piers, walls or overhead bridge or structures will not be constructed less than 23 feet above the top of rail of Grantor's tracks nor alongside of said Grantor's tracks less than 14 feet from center of track, with the necessary additional clearances on curves, said construction will be done in accordance with the Construction Agreement (Exhibit "B") and upon final approval of Grantor's Chief Engineer - Design and Construction.

DESCRIPTION FIVE

Situate in the 2nd Ward of the City, County and Commonwealth aforesaid (Val Map V-17.2/17),

BEGINNING at a point on the northerly existing right of way line of Grantor and southerly line of Liberty Avenue intersected by the northeasterly line of 26th Street (70 feet wide); Thence (1) in a northeasterly direction by the existing northerly right of way line of Grantor a distance of 30 feet, more or less, to a point; Thence (2) along the Busway right of way line and through the existing right of way line of Grantor the following various (a to i) directions and distances; (a) southerly a distance of 35 feet, more or less, to a point; (b) in a southeasterly direction at a right angle to the right of way line of Grantor for a distance of 105 feet, more or less, to a point of a curve; (c) by a curve to the right in a southwesterly direction an arc distance of 185 feet, more or less, to a point of tangency; (d) in a southwesterly direction a distance of 920 feet, more or less, to a point; (e) in a northwesterly direction at a right angle to the right of way line of Grantor a distance of 125 feet, more or less, to a point; (f) in a northeasterly direction a distance of 960 feet, more or less, to a point of a curve; (g) by a curve to the left an arc distance of 40 feet, more or less, to a point of tangency; (h) in a northerly direction at a right angle to the northerly right of way line of Grantor a distance of 55 feet, more or less, to a point; (i) in a westerly direction a distance of 35 feet, more or less, to a point on the existing northerly right of way line of Grantor, the same being on the southerly line of Liberty Avenue; Thence (3) in a northeasterly direction by the existing northerly right of way line of Grantor a distance of 100 feet, more or less, to the place of beginning.

EXCEPTING and RESERVING, therefrom and thereout unto the said Grantor the area identified "Sub-Surface Easement Busway Under Conrail" on sheet 2 of 12 of Exhibit "A" and being a parcel of land 30 feet, more or less, in width, the centerline of which runs parallel to and 60 feet, more or less, southeasterly of the southeast line of Liberty Avenue and running through a portion of the property generally described in Description Five; and, further RESERVING unto the said Grantor any and all rights to construct and maintain any bridge structures, piers, abutments and their appurtenances thereon and thereover; and GRANTING to the Grantee a perpetual easement for ingress and egress under this Excepted and Reserved areas; Subject, however, to the right of the Grantor to approve the construction plans for any type of construction work of the Grantee within Grantee's easement areas.

DESCRIPTION SIX

Situate in the 2nd and 6th Wards of the City, County and Commonwealth aforesaid (Val. Map V-17.2/17),

BEGINNING at a point located on the existing southerly right of way line of Grantor at the intersection of the southwesterly line of Humboldt Street extended 125 feet, more or less, from the northerly line of Tower Street, the same being 215 feet, more or less, west of Conrail M.P. 352; Thence (1) in a northwesterly direction crossing the Busway right of way line along the westerly line of Humboldt Street extended a distance of 100 feet, more or less, to a point on the northerly Busway right of way, said point being at a right angle, a distance of 18.5 feet southerly to and radial from the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County; Thence (2) in a northeasterly direction along the Busway right of way 18.5 feet south of and radial to and parallel with the eastbound track construction centerline a distance of 2,960 feet, more or less, said line crossing the dividing line between the 2nd and 6th Wards of the City of Pittsburgh and the 28th Street right of way; Thence (3) in a southeasterly direction crossing the Busway right of way line a distance of 220 feet, more or less, to a point at the intersection of the Southerly right of way line of Grantor and the westerly line of Downing Street extended, said point also being the northerly property line of property of the Trustees of Penn Central Transportation Company; Thence (4) by the following eight (8) (a to h) various directions and distances along the existing southerly right of way line of Grantor; (a) in a southwesterly direction a distance of 240 feet, more or less, along the northerly property line of the Trustees of Penn Central Transportation Company to a point; (b) continuing in a southwesterly direction a distance of 120 feet, more or less, to a point on the easterly line —

of Harmar Street; (c) in a northwesterly direction along the line of Harmar Street a distance of 160.86 feet, more or less, to a point; (d) in a southwesterly direction along the line of the northerly lines of Pullman Way and Wiggins Street a distance of 628.9 feet, more or less, to a point on the western line of 30th Street; (e) in a southeasterly direction along the westerly line of 30th Street a distance of 225 feet, more or less, to a point on the northerly line of Brereton Street; (f) in a southwesterly direction by a curve to the left along the northerly line of Brereton Street a distance of 841 feet, more or less, to a point on the easterly line of 28th Street; (g) in a northwesterly direction by the easterly line of 28th Street a distance of 27.6 feet, more or less, to a point; (h) in a southwesterly direction, crossing 28th Street and the dividing line between the 2nd and 6th Wards of the City of Pittsburgh, a distance of 1,160 feet, more or less, to the point of beginning on the southwesterly line of Humboldt Street extended.



DESCRIPTION SEVEN

Situate in the 6th and 8th Wards of the City, County and Commonwealth aforesaid (Val. Maps V-17.2/16 and V-17.2/L7),

BEGINNING at a point on the westerly line of Herron Avenue a distance of 50 feet, more or less, south from existing centerline of Grantor's near track, said point being 50 feet, more or less, north of the dividing line between property of the Trustees of Penn Central Transportation Company and Grantor at its intersection with the Westerly line of Herron Avenue; Thence (1) in a westerly direction through the lands of Grantor a distance of approximately 470 feet, more or less, to a point on the extended westerly line of Downing Street, said point being 130 feet, more or less, north of the dividing line between properties of the Trustees of Penn Central Transportation Company and Grantor, said point also being approximately 75 feet, more or less, south of the aforementioned centerline of Grantor's near track; Thence (2) in a northwesterly direction crossing the Busway right of way a distance of 110 feet, more or less, to a point on the northerly side of the Busway right of way, said point being a distance of 18.5 feet southerly of and radial to the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, said point being 2470 feet, more or less, west of Mile Post 351; Thence (3) in an easterly direction 18.5 feet southerly of and radial from and parallel to the eastbound track construction centerline and crossing through Herron Avenue and Mile Post 351 a distance of 3425 feet, more or less, to a point on the westerly side of the Bloomfield Bridge right of way, said point being approximately 975 feet, more or less, East of Mile Post 351; Thence (4) in a southwesterly direction along the westerly side of the Bloomfield Bridge right of way, a distance of 52 feet, more or less, to a point on the existing southerly right of way line of Grantor; Thence (5) along the southerly right of way line of Grantor by various curves and tangents a distance of approximately 2,970 feet, more or less, to a point

on the northerly line of Ruthven Street extended 35 feet, more or less westwardly from the westerly line of the Herron Avenue Bridge; Thence (6) in a southeasterly direction along the Herron Avenue right of way a distance of 40 feet, more or less, to the point of beginning.

DESCRIPTION EIGHT - MAP - PAGE. (605)

Situate in the 5th, 6th and 8th Wards of the City, County and Commonwealth aforesaid (Val. Map V-17.2/16);

BEGINNING at a point of the intersection of the westerly side of the Bloomfield Bridge right of way with the southerly existing right of way line of Grantor, said point being approximately 975 feet, more or less, east of Mile Post 351; Thence (1) in a northeasterly direction along the westerly line of the Bloomfield Bridge right of way crossing the dividing line of the 6th and 8th Wards of the City of Pittsburgh a distance of 52 feet, more or less, to a point 18.5 feet southwesterly of and radial from the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, and being on the northerly Busway right of way line; Thence (2) in an easterly direction by the northerly line of the Busway right of way, 18.5 feet south and southwesterly to and radial from and parallel to the eastbound track construction centerline, crossing the dividing line between the 5th and 8th Wards, a distance of 2820 feet, more or less, to a point on the easterly line of South Millvale Avenue (50 feet wide); Thence (3) in a southerly direction leaving the northerly Busway right of way line along the easterly line of South Millvale Avenue, a distance of 30 feet, more or less, to a point on the existing southerly right of way line of Grantor, said point being approximately 1430 feet, more or less, west of Grantor's Mile Post 350; Thence (4) in a westerly direction along the existing southerly right of way line of Grantor crossing the dividing line between the 5th and 8th, and the 5th and 6th Wards of the City of Pittsburgh for a distance of 2,830 feet, more or less, to a point of beginning on the intersection of the westerly side of the Bloomfield Bridge right of way.

DESCRIPTION NINE - MAP. PAGE - (606)

Situate in the 7th and 8th Wards of the City, County and Commonwealth aforesaid (Val. Map V-17.2/16 and V-17.2/15);

BEGINNING at a point on the easterly line of South Millvale Avenue and the southerly right of way line of Grantor, being 1,430 feet west of Conrail Mile Post 350; Thence (1) in a northerly direction along the easterly line of South Millvale Avenue a distance of 30 feet, more or less, to a point being 18.5 feet south of and radial to the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, said point being on the northerly Busway right of way line; Thence (2) in a southeasterly direction along the northerly Busway right of way line, 18.5 feet south of and radial to the eastbound track construction centerline, and passing through Baum Boulevard, Mile Post 350, Centre Avenue and the 7th and 8th Wards of the City of Pittsburgh, a distance of 2,090 feet, more or less, to a point, on the extended easterly line of Amberson Avenue, said point being approximately 680 feet east of Mile Post 350; Thence (3) in a southerly direction along a line crossing the Busway right of way, the same being the extended easterly line of Amberson Avenue, a distance of 40 feet, more or less, to a point on the existing southerly right of way line of Grantor; Thence (4) in a westerly direction crossing Amberson Avenue along the existing southerly right of way line of Grantor a distance of 60 feet, more or less, to a point; Thence (5) in a northerly direction along the westerly line of Amberson Avenue and the southerly right of way line of Grantor a distance of 30 feet, more or less, to a point; Thence (6) in a northwesterly direction along the existing southerly right of way line of Grantor and passing through the dividing line between the 7th and 8th Wards of the City of Pittsburgh, Centre Avenue and Baum Boulevard, a distance of 2,025 feet, more or less, to the point of beginning.

DESCRIPTION TEN - MAP - PAGE - 607

Situate in the 7th Ward of the City, County and Commonwealth aforesaid (Val. Map V-17.2/15);

BEGINNING at a point at the intersection of the easterly line of Amberson Avenue right of way (60 feet wide), and the existing southerly Conrail right of way line; said point being approximately 680 feet, more or less, east of Mile Post 350; Thence (1) in a northerly direction along the easterly line of Amberson Avenue and extended therefrom crossing the Busway right of way a distance of 110 feet, more or less, to a point on the northerly Busway right of way line, said point being 18.5 feet southwesterly of and radial to the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County; Thence (2) in an easterly direction by a curve to the left along the northerly Busway right of way line, a distance of 1000.00 feet to a point, being 14.00 feet south of and radial to the aforementioned eastbound track construction centerline; Thence (3) in an easterly direction crossing through South Aiken Avenue, South Negley Avenue, along the northerly Busway right of way line, said line being 14.00 feet radial to the aforementioned proposed eastbound track construction centerline, a distance of 2,090 feet, more or less, to a point on the westerly line of Maryland Avenue (50 feet wide) extended, said point being approximately 1,530 feet, more or less, west of Mile Post 349; Thence (4) in a southerly direction along the westerly line of Maryland Avenue crossing the Busway right of way a distance of 39.5 feet, more or less, to a point on the southerly right of way line of Grantor; Thence (5) in a westerly direction along the existing southerly right of way line of Grantor the following various (a to f) directions and distances: (a) a distance of 2,098 feet, more or less, crossing through South Negley Avenue and South Aiken Avenue, to a point on the westerly line of —

South Aiken Avenue; (b) in a southwesterly direction, a distance of 269.2 feet, more or less, to a point; (c) in a westerly direction, by a curve to the right, an arc distance of 430.3 feet, more or less, to a point; (d) in a southwesterly direction, a distance of 177.5 feet, more or less, to a point; (e) in a northwesterly direction, a distance of 112.6 feet, more or less, to a point; (f) in a westerly direction by a curve to the right an arc distance of 200 feet, more or less, to the point of beginning, said point being the easterly line of Amberson Avenue.



DESCRIPTION ELEVEN - MAP PAGE (608)

Situate in the 7th Ward of the City, County and Commonwealth aforesaid (Val. Maps V-17.2/15 and V-17.2/14);

BEGINNING at a point on the westerly line of Maryland Avenue (50 feet wide) and the existing southerly right of way line of Grantor; said point being approximately 1530 feet, more or less, west of Mile Post 349; Thence (1) in a northwesterly direction by the extended westerly line of Maryland Avenue, crossing the Busway right of way, a distance of 39.5 feet to a point, being 14.00 feet radial from the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, said point being on the northerly Busway right of way line; Thence (2) in a northeasterly direction along the northerly Busway right of way line 14.00 feet south of, radial to and parallel with the eastbound track construction centerline, and crossing through Ellsworth Avenue, South Highland Avenue and Shady Avenue, a distance of 3045 feet, more or less, to a point on the westerly line of Penn Avenue; Thence (3) in a southeasterly direction along the westerly line of Penn Avenue and crossing the Busway right of way, a distance of 45 feet, more or less, on the existing southerly right of way line of Grantor approximately 1540 feet, more or less, east of Mile Post 349; Thence (4) in a southwesterly direction, along the existing southerly right of way line of Grantor and passing through Shady Avenue, South Highland Avenue and Ellsworth Avenue, a distance of 3065 feet, more or less, to a point of beginning on the westerly line of Maryland Avenue (50 feet wide).

DESCRIPTION TWELVE MAP - PAGE 609

Situate in the 7th, 11th and 12th Wards of the City, County and Commonwealth aforesaid (Val. Map V-17.2/14 and V-17,2/13);

BEGINNING at a point located on the southwesterly line of Penn Avenue at the existing southerly right of way line of Grantor approximately 1,540 feet, more or less, east of Mile Post 349; Thence (1) in a northwesterly direction by the southwesterly line of Penn Avenue crossing the Busway right of way a distance of 40 feet, more or less, to a point being 18.5 feet southerly of and radially to the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, said point being on the northerly Busway right of way line; Thence (2) in an easterly and southeasterly direction 18.5 feet radial to and parallel with Grantor's eastbound construction centerline and the northerly Busway right of way line for a distance of 3,520 feet, more or less, crossing the dividing lines of the 7th and 11th Wards and the 11th and 12th Wards of the City of Pittsburgh, to a point, located 250 feet, more or less, west of the westerly line of Fifth Avenue; Thence (3) in a southwesterly direction at right angles to the northerly line of the Busway right of way and crossing the Busway right of way a distance of 30 feet, more or less, to a point on the existing southerly right of way line of Grantor, said point being 420 feet, more or less, west of Mile Post 348; Thence (4) along the following various (a to o) directions and distances which are along the existing southerly right of way line of Grantor; (a) a northwesterly direction a distance of 1,750 feet, more or less, to a point on the easterly line of Dahlem Street; (b) a southwesterly direction, by the said easterly line of Dahlem Street, a distance of 40 feet, more or less, to a point; (c) a northwesterly direction crossing Dahlem Street a distance of 50 feet, more or less, to a point on the westerly line of Dahlem Street; (d) a southwesterly \_\_\_\_\_

direction, by the said westerly line of Dahlem Street, a distance of 10 feet, more or less; (e) a northwesterly direction leaving the westerly line of Dahlem Street a distance of 31.50 feet, more or less, to a point; (f) a northeasterly direction a distance of 10 feet, more or less, to a point; (g) a northwesterly direction crossing the dividing line between the 11th and 12th Wards of the City of Pittsburgh a distance of 482.32 feet, more or less, to a point; (h) a northeasterly direction a distance of 8 feet, more or less, to a point; (i) a northwesterly direction a distance of 251.07 feet, more or less, to a point; (j) a southerly direction a distance of 10 feet, more or less, to a point; (k) a westerly direction a distance of 323.17 feet, more or less, to a point; (l) a northerly direction a distance of 17.22 feet, more or less, to a point; (m) A southwesterly direction a distance of 255.66 feet, more or less, to a point on the easterly line of Penn Avenue; (n) a northwesterly direction by the easterly line of Penn Avenue a distance of 11 feet, more or less, to a point; (o) a southwesterly direction, crossing Penn Avenue and the dividing line between the 11th and 7th Wards of the City of Pittsburgh, a distance of 70 feet, more or less, to the point of beginning.



DESCRIPTION THIRTEEN MAP-PAGE-610

Situate in the 12th and 14th Wards of the City, County and Commonwealth aforesaid (Val. Map V-17.2/13);

BEGINNING on the existing southerly right of way line of Grantor, 190 feet, more or less, west of its intersection with the westerly line of Fifth Avenue said point being 420 feet, more or less west of Mile Post 348; Thence (1) in a northeasterly direction crossing the Busway right of way a distance of 30 feet, more or less, to a point being at a right angle a distance of 18.5 feet southwesterly from the eastbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, the same being on the northerly Busway right of way line; Thence (2) in an easterly direction along the northerly Busway right of way line and crossing the Busway right of way, said line being 18.5 feet southwesterly from and parallel with the eastbound track construction centerline 920 feet, more or less, to a point, said point being 18.00 feet southerly from the Busway construction centerline; Thence (3) in a westerly direction along the southerly Busway right of way line a distance of 710 feet, more or less, to a point on the easterly line of Fifth Avenue, said line being 18.00 feet south of and running parallel with the Busway construction centerline; Thence (4) in a northerly direction along the easterly line of Fifth Avenue (60 feet wide) a distance of 20.00 feet to a point; Thence (5) in a westerly direction crossing Fifth Avenue and along the southerly right of way line of Grantor a distance of 250 feet, more or less, to the point of beginning.

AND the said Grantor further grants unto the said Grantee, its successors and assigns, a permanent aerial easement 40 feet, more or less, in width and concentric with the Busway construction centerline, which centerline crosses the main line tracks of the Grantor to and from certain points on course number 2, Description Thirteen; to and from certain points on course number 2, Description Fourteen; and said centerline being 500 feet, more or less, west of Mile Post 348, together with surface and subsurface easements necessary for the construction and maintenance of an aerial easement, and which easements are subject to the final approval of Grantor's Chief Engineer-Design and Construction; it being expressly understood that the construction for any piers, walls, overhead bridge or structures and their appurtenances, will not be constructed less than 23 feet above the top of rail of Grantor's tracks nor alongside of said Grantor's track less than 14 feet from center of track, with the necessary additional clearances on curves, said construction and placement will be done in accordance with the Construction Agreement (Exhibit "B") and upon final approval of Grantor's Chief Engineer-Design and Construction.

DESCRIPTION FOURTEEN - MAP PAGE - 610

Situate in the 12th Ward of the City, County and Commonwealth aforesaid (Val. Map V-17.2/13),

BEGINNING at a point on the existing right of way line of Grantor and its intersection with the westerly line of North Dallas Avenue (50 feet wide); Thence (1) in a southwesterly direction, along the westerly line of North Dallas Avenue, a distance of 100 feet, more or less, to a point on the southerly Busway right of way line; Thence (2) in a northwesterly direction along the southerly Busway right of way line a distance of 320 feet, more or less to a point; Thence (3) in a southeasterly direction along the northerly Busway right of way line, the same being the existing northerly right of way line of Grantor a distance of 315 feet, more or less, to a point on the westerly line of North Dallas Avenue.

DESCRIPTION FIFTEEN MAP PAGE - 610

Situate in the 12th and 13th Wards of the City, County and Commonwealth aforesaid (Val. Map V-17.2/13),

BEGINNING at a point at the intersection of the easterly line of North Dallas Avenue (50 feet wide) and the southerly line of Susquehanna Street (50 feet wide) said point being 1070 feet, more or less, east of Mile Post 348; Thence (1) in a southeasterly direction along the existing northerly right of way line of Grantor a distance of 343.7 feet, more or less, to a point; Thence (2) continuing in a southeasterly direction along the northerly existing right of way line of Grantor a distance of 330 feet, more or less, to a point on the westerly right of way line of North Murtland Street; Thence (3) continuing in a southeasterly direction a distance of 25 feet, more or less, to a point on the extended centerline of North Murtland Street, said point also being on the northerly right of way line of Grantor and dividing line between the 12th and 13th Wards of the City of Pittsburgh; Thence (4) in a northerly direction along the extended centerline of North Murtland Street and the dividing line between the 12th and 13th Wards of the City of Pittsburgh a distance of 12.26 feet, more or less, to a point; Thence (5) in a southeasterly direction leaving the extended centerline of North Murtland Street, along the northerly Busway right of way line a distance of 25 feet, more or less, to a point on the extended easterly line of North Murtland Street; Thence (6) continuing in a southeasterly direction along the existing northerly right of way line of Grantor a distance of 652.85 feet, more or less, to a point on the westerly line of North Lang Avenue; Thence (7) in a southerly direction along the westerly line of North Lang Avenue a distance of 108 feet, more or less, to a point on the northerly right of way line of Grantor; Thence (8) in a southeasterly direction crossing North Lang Avenue a distance of 50 feet, more or less, to a point on the easterly line of North Lang Avenue; Thence (9) in a northerly direction along the easterly line of North Lang Avenue a distance of 40 feet, more or less, to a point on the

northerly right of way line of Grantor; Thence (10) in a southeasterly direction leaving the easterly line of North Lang Avenue along the northern right of way line of Grantor, a distance of 350 feet, more or less, to a point in the southerly extended centerline of Clawson Street a distance of 330 feet, more or less, to a point on the westerly line of Clawson Street (40 feet wide), said point being approximately 2,800 feet, more or less, east of Mile Post 348; Thence (11) in a southerly direction along the westerly extended line of Clawson Street and crossing the Busway right of way a distance of 55 feet, more or less, to a point on the southerly Busway right of way line, said point being 18.5 feet northeasterly of and radial to the west-bound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County; Thence (12) in a northwesterly direction along the southerly Busway right of way line crossing through North Lang Avenue, and the dividing line between the 12th and 13th Wards of the City of Pittsburgh, a distance of 1,745 feet, more or less, to a point on the easterly line of North Dallas Avenue; Thence (13) in a northerly direction along the existing easterly line of North Dallas Avenue a distance of 65 feet, more or less, to a point of beginning.

DESCRIPTION SIXTEEN MAP PAGE - 611

Situate in the 13th and 14th Wards of the City of Pittsburgh and the 3rd Ward of the Borough of Wilkinsburg, County and Commonwealth aforesaid (Val. Map V-17.2/13 and V-17.2/12),

BEGINNING at the westerly right of way line of Clawson Street (40 feet wide) and the northerly line of existing right of way line of Grantor, said point being approximately 2,800 feet, more or less, east of Mile Post 348; Thence (1) in a southeasterly direction along the northerly existing right of way line of Grantor a distance of 270 feet, more or less, to a point on the westerly line of North Homewood Avenue; Thence (2) in a southerly direction along the westerly line of North Homewood Avenue a distance of 40 feet, more or less, to a point on the northerly right of way line of Grantor; Thence (3) in a southeasterly direction crossing North Homewood Avenue a distance of 50 feet, more or less, to a point on the easterly line of North Homewood Avenue; Thence (4) in a northerly direction along the easterly line of North Homewood Avenue a distance of 100 feet, more or less, to a point at the intersection of the easterly line of North Homewood Avenue and the southerly line of Finance Street; Thence (5) in a southeasterly direction along the southerly line of Finance Street and the northerly right of way line of Grantor, a distance of 1,841.02 feet, more or less, to a point on the westerly line of North Braddock Avenue; Thence (6) in a southerly direction along the westerly line of North Braddock Avenue a distance of 100 feet, more or less, to a point on the northerly right of way line of Grantor; Thence (7) in a southeasterly direction crossing North Braddock Avenue, along the northerly right of way line of Grantor a distance of 60 feet, more or less, to a point on the easterly line of North Braddock Avenue; Thence (8) in a northerly direction along the easterly line of North Braddock Avenue a distance of 20 feet, more or less, to a point; Thence (9) in a southeasterly direction

on a curve to the right crossing the dividing line of the 13th Ward of the City of Pittsburgh and the 3rd Ward of Wilkinsburg Borough on the northeasterly Busway right of way line, a distance of 960 feet, more or less, to a point; Thence (10) in a southwesterly direction crossing the Busway right of way a distance of 100 feet, more or less, to a point on the southwesterly Busway right of way line said point being at a point located on the westerly extended centerline of Hill Avenue from the intersection of the centerline of Rosedale Street a distance of 640 feet, more or less, the same being 1070 feet, more or less, easterly of Mile Post 347; Thence (11) in a northwesterly direction along the southerly Busway - right of way line crossing the dividing line of the 3rd Ward of Wilkinsburg Borough and the 13th and 14th Ward lines of the City of Pittsburgh, a distance of 3,115 feet, more or less, to a point on the extended westerly right of way line of Clawson Street (40 feet wide) said line 18.5 feet northeasterly of and radial to the westbound track construction centerline as shown on the approved construction plans, said plans being on file with the Port Authority of Allegheny County; Thence (12) in a northerly direction, crossing the Busway right of way line along the extended westerly line of Clawson Street a distance of 55 feet, more or less, to the place of beginning.

DESCRIPTION SEVENTEEN MAP PAGE - 612

Situate in the 1st, 2nd and 3rd Wards of the Borough of Wilksburg, County and Commonwealth aforesaid (Val. Map V-17.2/12),


BEGINNING at a point located on the westerly extended centerline of Hill Avenue from the intersection of the centerline of Rosedale Street a distance of 640 feet, more or less, the same being 1,070 feet, more or less, easterly of Mile Post 347, also being at a right angle a distance of 18.5 feet from the westbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County, said point being on the westerly side of the Busway right of way; Thence (1) in a northeasterly direction along a line crossing the Busway right of way a distance of 100 feet, more or less, to a point on the northeasterly side of the Busway right of way; Thence (2) in a southeasterly direction by a curve to the right, being 118.5 feet, more or less, radial to the aforementioned westbound track construction centerline a distance of 890 feet, more or less, to a point on the extended northerly line of Edmundson Way; Thence (3) in a southeasterly direction along said extended northerly line of Edmundson Way a distance of 250 feet, more or less, to a point on the existing easterly right of way line of Grantor as shown on Railroad Valuation Map V-17.2/12; Thence (4) continuing in a southeasterly direction along existing easterly right of way line of Grantor a distance of 400 feet, more or less, to a point on the westerly line of Pitt Street, the same being the dividing line between the 1st and 3rd Wards of the Borough of Wilksburg; Thence (5) in a southwesterly direction along said westerly line of Pitt Street a distance of 175 feet, more or less, to a point; Thence (6) in a southeasterly direction and crossing the intersection of Pitt Street and Penn Avenue, also crossing the dividing line between the 1st and 2nd Wards of the Borough of Wilksburg a distance of 120 feet, more or less, to a point on the southerly line of Penn Avenue, said line also being the existing easterly right of way line of Grantor; Thence (7) in a southeasterly direction along said



southerly line of Penn Avenue and said easterly line of Grantor a distance of 60 feet, more or less, to a point at the intersection of the southerly line of Penn Avenue and the westerly line of Sawyer Way; Thence (8) continuing in a southeasterly direction along the easterly face of a concrete wall, a portion of said wall being parallel to Sawyer Way, a distance of 600 feet, more or less, to a point on the southerly line of Hay Street; Thence (9) continuing in the same direction as said wall and crossing the intersection of Hay Street and South Avenue a distance of 140 feet, more or less, to a point on the southerly line of South Avenue; Thence (10) in a southeasterly direction along said southerly line of South Avenue a distance of 35 feet, more or less, to a point; Thence (11) in a southeasterly direction a distance of 70 feet, more or less, to a point located at the northern terminus of a concrete wall as shown on Railroad Valuation Map V-17.2/12; Thence (12) in a southwesterly direction at right angles to the mainline tracks of Grantor along a line which constitutes the southerly terminus of the Busway right of way and crossing the dividing line between the 2nd and 3rd Wards of the Borough of Wilksburg a distance of 110 feet, more or less, to a point located 18.5 feet northeasterly of, and radial to, the westbound track construction centerline as shown on approved construction plans, said plans being on file with the Port Authority of Allegheny County; Thence (13) in a northwesterly direction, along a curve to the left, said curve being 18.5 feet from, and radial to, the aforementioned westbound track construction centerline, a distance of 2550 feet, more or less, to the point of beginning. Said line also being the westerly line of the Busway right of way.

Excepting that property which was conveyed from the Pennsylvania Railroad Company to the Borough of Wilksburg by a deed dated August 21, 1967, said deed is recorded in the Recorder of Deeds Office of Allegheny County in Deed Book Volume 4422, Page 377, said deed contains reservations of easement and agreements which affect the Wilksburg Station site area.

It is further expressly understood and agreed by and between the parties hereto that any maintenance, repair or renewal to any part or parts of the easement areas herein described, or to any and all facilities now located, or hereinafter to be located thereon, or constructed on or across any of the said easement areas hereinbefore mentioned or described, shall be the sole responsibility and at the sole cost and expense of the said Grantee, its successors and assigns, and the Grantor, its successors or assigns, may, at its option and expense (unless otherwise agreed to or provided for in Exhibit "B" hereof), make any repairs it deems necessary for Grantor's use of the easement areas.



BEING a portion of the premises which Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees of the Property of Penn Central Transportation Company, Debtor, by Conveyance Document No. PC-CRC-RP-173, dated March 30, 1976 and recorded September 12, 1978 in the Office for the Recorder of Deeds of Allegheny County, at Pittsburgh, Pennsylvania, granted and conveyed unto Consolidated Rail Corporation in Deed Book Volume 6001, page 591 through 864.

SUBJECT, however, to (1) all legal streets, opened or unopened, and legal highways; to easements or rights of public utility companies or governmental agencies, whether recorded or unrecorded, covenants, and restrictions, if any; to zoning and building laws and ordinances; (2) any easements or agreements of record or to any easements that may be disclosed on an accurate survey plan and to any other pipes, wires, poles, cables, culverts, drainage courses or systems and their appurtenances now existing and remaining in, on, under, over and across and through the premises to be conveyed to Grantee and to any rights to use, maintain, repair, renew and remove same, together with the right of Grantor, and subject to the approval of the Grantee, to cross over or under the hereindescribed premises with any of its pipes, wires or their appurtenances so long as they do not unduly interfere with Grantee's use of the hereindescribed premises; and (3) the Construction Agreement and Agreement of Sale dated August 7, 1978 and to any supplements thereto between said Grantor and Grantee and to all Sections, Articles and Exhibits thereof, which Agreements and supplements thereto are on file in the respective offices of the said Grantor and Grantee and which Agreements and any supplements thereto will in their entirety survive the passing of any title until such time as the Sections, Articles and Conditions of said Agreements and supplements thereto have been fulfilled and Article IV of the Agreement of Sale completed. Said Agreements are attached hereto as Exhibit "B".

THIS INSTRUMENT is executed, delivered and accepted upon the following understanding and agreement:

(a) that Grantor shall not be liable or obligated to construct or maintain any fence between the land hereinbefore described and land of Grantor adjoining the same; or be liable or obligated to pay for any part of the cost or expense of constructing or maintaining such a fence or any part thereof;

(b) that Grantee shall not have or assert to have any claim or demand whatsoever for compensation for damages, whether said damages be direct or consequential, to the land hereinbefore described or to any buildings or improvements now or hereafter erected thereon, or to the contents thereof, which may be caused by the operation, maintenance, repair or renewal of Grantor's railroad or which may be caused by vibration resulting from the operation, maintenance, repair or renewal thereof; and Grantee hereby expressly releases Grantor from liability for any such damages;

(c) that Grantee shall not at any time hereafter ask, demand, recover or receive any compensation whatever for any damage which may be caused by the sliding of any part of the adjoining railroad embankment of Grantor, or by the draining or seeping of water therefrom upon or into the land hereinbefore described or upon or into anything which may be erected or placed thereon;

(d) that Grantor shall not be liable or obligated to provide lateral support for the surface of the land hereinbefore described or any part thereof; and that the Grantee shall not, at any time hereafter ask, demand, recover or receive any compensation whatever for any damage that may be caused by the sliding of any part of the slope or embankment supporting the surface of the land hereinbefore described. Grantee shall use due diligence to prevent the drainage or seepage of water or the precipitation of snow or ice or anything whatever from the land hereinbefore described onto or upon the remaining land of Grantor or onto or upon any part thereof;

(e) that in the event the tracks of the railroad of the Grantor are elevated or depressed, or the grades of any streets, avenues, roads, lanes, highways or alleys over said railroad in the vicinity of the land hereinbefore described are changed so that they shall pass overhead or underneath the said tracks and railroad, or in the event any grade crossing is vacated and closed, Grantee, as owner of the land hereinbefore described, shall not ask, demand, recover or receive from Grantor any compensation whatsoever for any damage of whatsoever nature caused by or in any manner growing out of the separation or change of grades of said railroad and/or said streets, avenues, roads, lanes, highways or alleys or out of the vacation and closing of any grade crossing;

(f) that a right or means of ingress, egress or passageway to or from the land hereinbefore described is not hereby granted, specifically or by implication, and that Grantor shall not and will not be liable or obligated to obtain for Grantee such means of ingress, egress or passageway and also that Grantee will obtain a means of access to and from the said land at Grantee's own cost and expense;

(g) that in the event of any tribunal having jurisdiction to do so rules that Grantor, as of the date of this deed, has any responsibility for the maintenance of any part of any bridge carrying a public road or highway over or under railroad right of way, such responsibility and all liability for personal injury, death or property damage resulting from failure to fulfill said responsibility, shall hereafter rest with Grantee, insofar as it pertains to portions of the bridge over or under property conveyed to Grantee under this deed.

(h) that upon termination of the easement as provided for in Article IV of the Sales Agreement, responsibility for the maintenance of retaining walls on property conveyed to Grantee under this deed, insofar as such responsibility heretofore rested with Grantor, shall hereinafter rest with Grantee; and Grantee shall hold Grantor harmless from liability predicated on failure to fulfill such maintenance responsibility.

(i) that should a claim adverse to the title hereby quitclaimed be asserted and/or proved, no recourse shall be had against the said Grantor, its successors or assigns.

THE words "Grantor" and "Grantee" used herein shall be construed as if they read "Grantors" and "Grantees", respectively, whenever the sense of this Indenture so requires and whether singular or plural, such words shall be deemed to include in all cases the successors and assigns of the respective parties.

NOTICE - "THIS DOCUMENT DOES 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 in the manner provided in Section 1 of the Act of September 10, 1965, P. L. 505, No. 255 (52 P.S. 1551).

**NOTICE** THE UNDERSIGNED, AS EVIDENCED BY THE SIGNATURE(S) TO THIS NOTICE AND THE ACCEPTANCE AND RECORDING OF THIS DEED, (IS, ARE) FULLY COGNIZANT OF THE FACT THAT THE UNDERSIGNED MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE, AS TO THE PROPERTY HEREIN CONVEYED, RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY, HEREIN CONVEYED, MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966.

WITNESS:

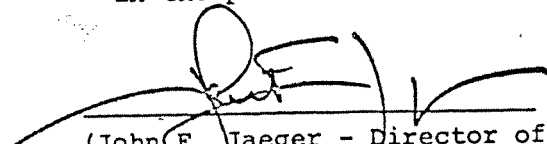
*[Signature]*

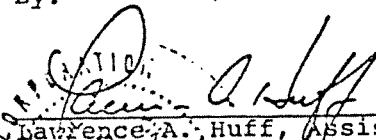
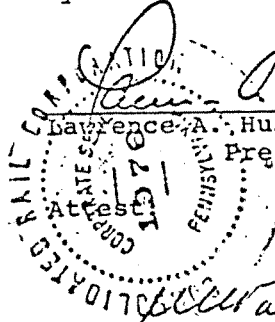
*Part Authority of Alley. Co*  
*By Robert H. Henry*

IN WITNESS WHEREOF, the Grantor has caused this Indenture to be signed in its name and behalf by its Assistant Vice President-Real Estate duly authorized thereunto and has caused its corporate seal to be hereunto affixed and attested by its Assistant Secretary the day and year first above written.

SEALED and DELIVERED  
in the presence of us:

CONSOLIDATED RAIL CORPORATION  
By:

  
(John F. Jaeger - Director of  
Field Services)


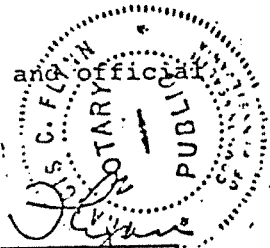
  
Lawrence A. Huff, Assistant Vice  
President-Real Estate  
  
Attest  
D. R. Powell, Assistant Secretary

  
BENJAMIN HARDER

COMMONWEALTH OF PENNSYLVANIA )  
: SS  
COUNTY OF PHILADELPHIA )

On this 25th day of September A. D. 1978, before me, the subscriber, Francis C. Flynn, the undersigned officer, personally appeared Lawrence A. Huff, who acknowledged himself to be the Assistant Vice President-Real Estate of Consolidated Rail Corporation, a corporation, and that he as such Assistant Vice President-Real Estate, being authorized to do so, executed the foregoing Indenture for the purposes therein contained by signing the name of the corporation by himself as Assistant Vice President-Real Estate.

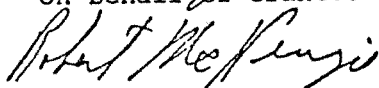
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

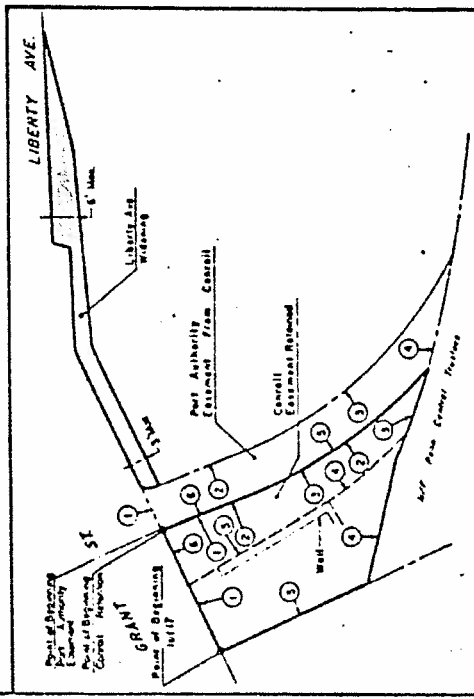
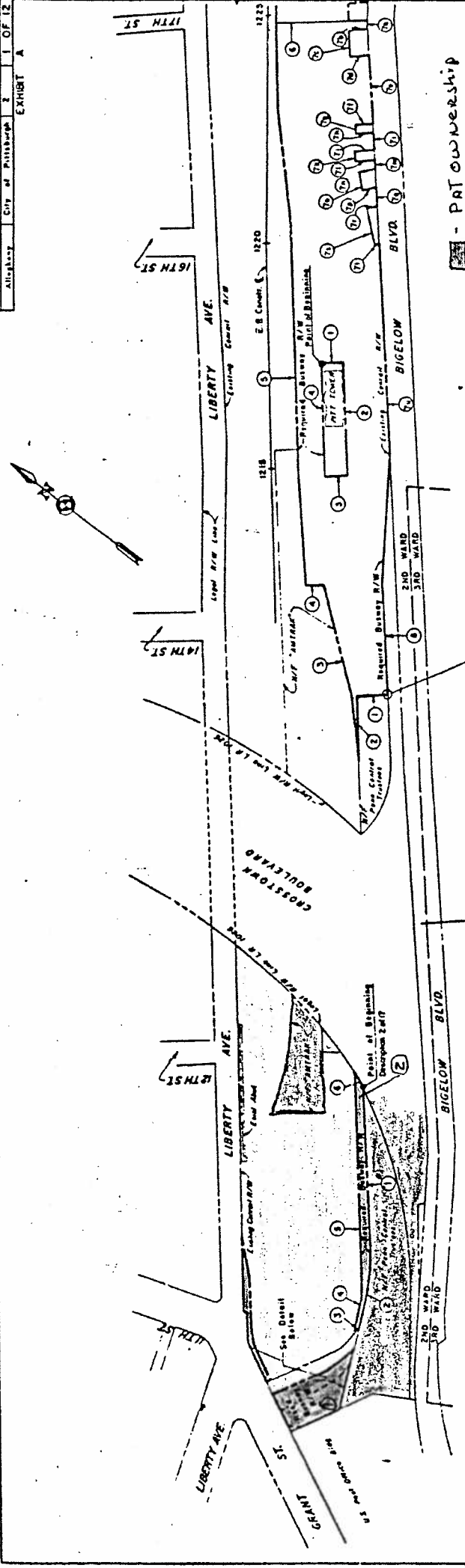
  
Francis C. Flynn  
Notary Public, Philadelphia  
Philadelphia Co.  
My Commission Expires July 2, 1979  


I HEREBY CERTIFY that the correct  
address of the within-named  
Grantee is:

Island and Beaver Ave

Pittsburgh Pa. 15233  
on behalf of Grantee





Background Taken From Former Photostation Method  
 Right-of-Way And Tract Map V-17270

DESCRIPTION 12.3 OF 17	
PORT AUTHORITY OF ALLEGHENY COUNTY	ALLEGHENY COUNTY
PROPERTY CONVEYED FROM CONRAIL	EAST BUSWAY
CONVEYANCE INSTRUMENT	MICHAEL BAKER, JR., INC.
REVISIONS	
NO.	DATE
1	8/23/79
2	8/23/79
3	8/23/79
4	8/23/79
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7	8/23/79
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99	8/23/79
100	8/23/79

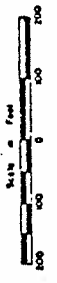
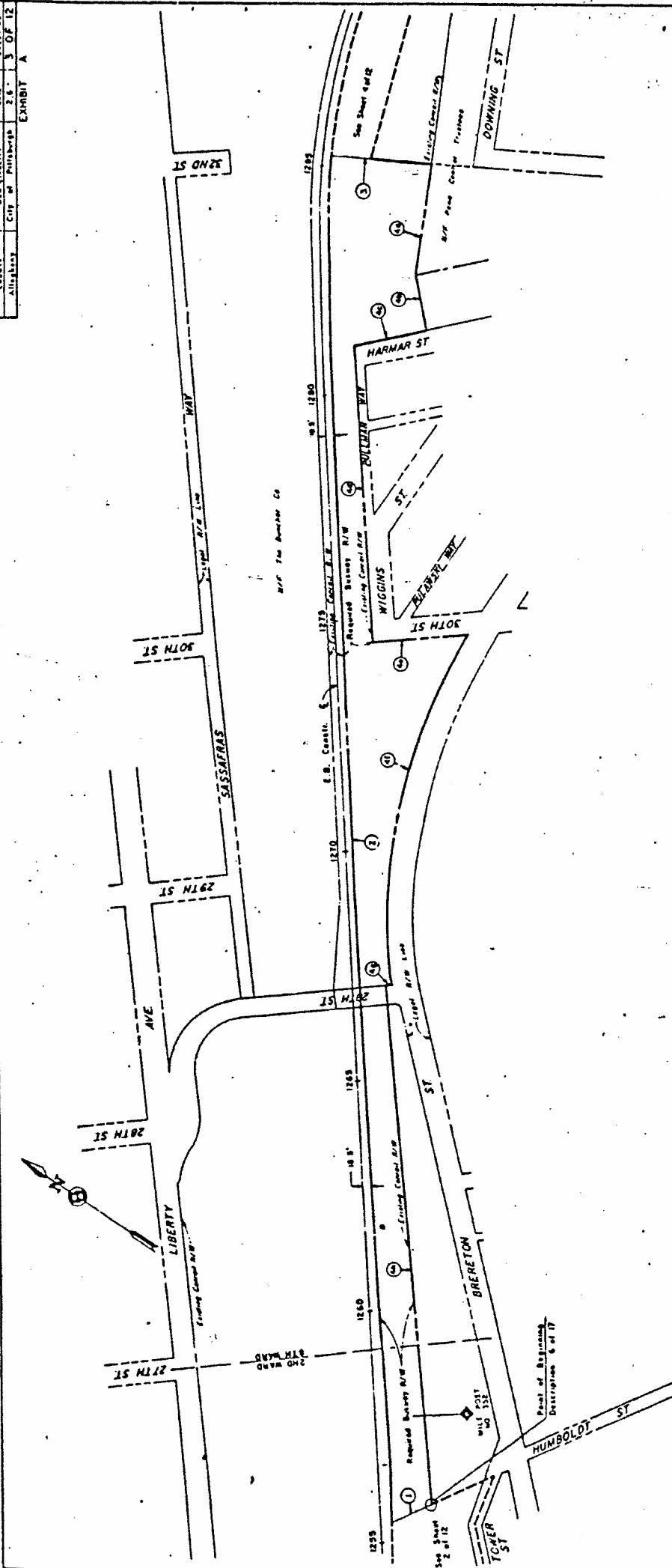


Exhibit "A"

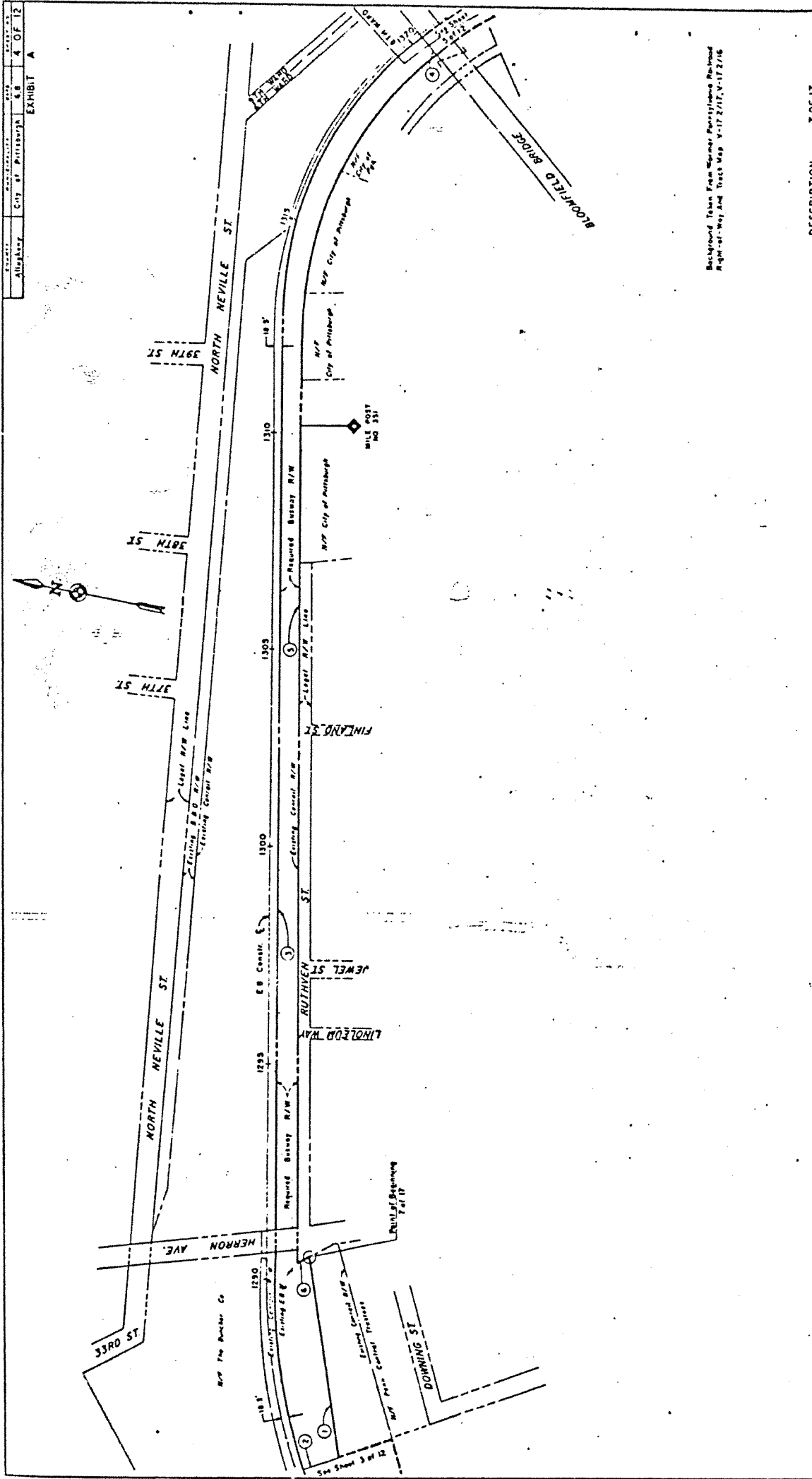






Background Taken from Former Pennsylvania Railroad  
 Right-of-Way And Track Map V-17.27.17

DESCRIPTION 6 OF 17	
PORT AUTHORITY OF ALLEGHENY COUNTY PITTSBURGH	EAST BUSWAY
PROPERTY CONVEYED FROM CONRAIL MICHAEL BAKER JR., INC. CONRAIL FROM PITTSBURGH	REVISIONS
DESIGN: CFF DRAWN: HRM CHECKED: TAO APPROVED: PJB DATE: 9/23/78 DRAWN BY: AS, SHAW	REVISIONS NO. DATE DESCRIPTION 1 11/15/78



Background Issue From Various Participants Referred  
 Report of City and West Map 4-17-2017, 4-17-2016

DESCRIPTION 7 OF 17	
PORT AUTHORITY OF ALLEGHENY COUNTY PITTSBURGH	
EAST BUSWAY	
PROPERTY CONVEYED FROM CONRAIL	
MICHAEL BAKER, JR., INC	
CONRAIL	

DATE	BY	REVISIONS

NO.	DATE	BY	REVISIONS

NO.	DATE	BY	REVISIONS

NO.	DATE	BY	REVISIONS

NO.	DATE	BY	REVISIONS

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NO.	DATE	BY	REVISIONS

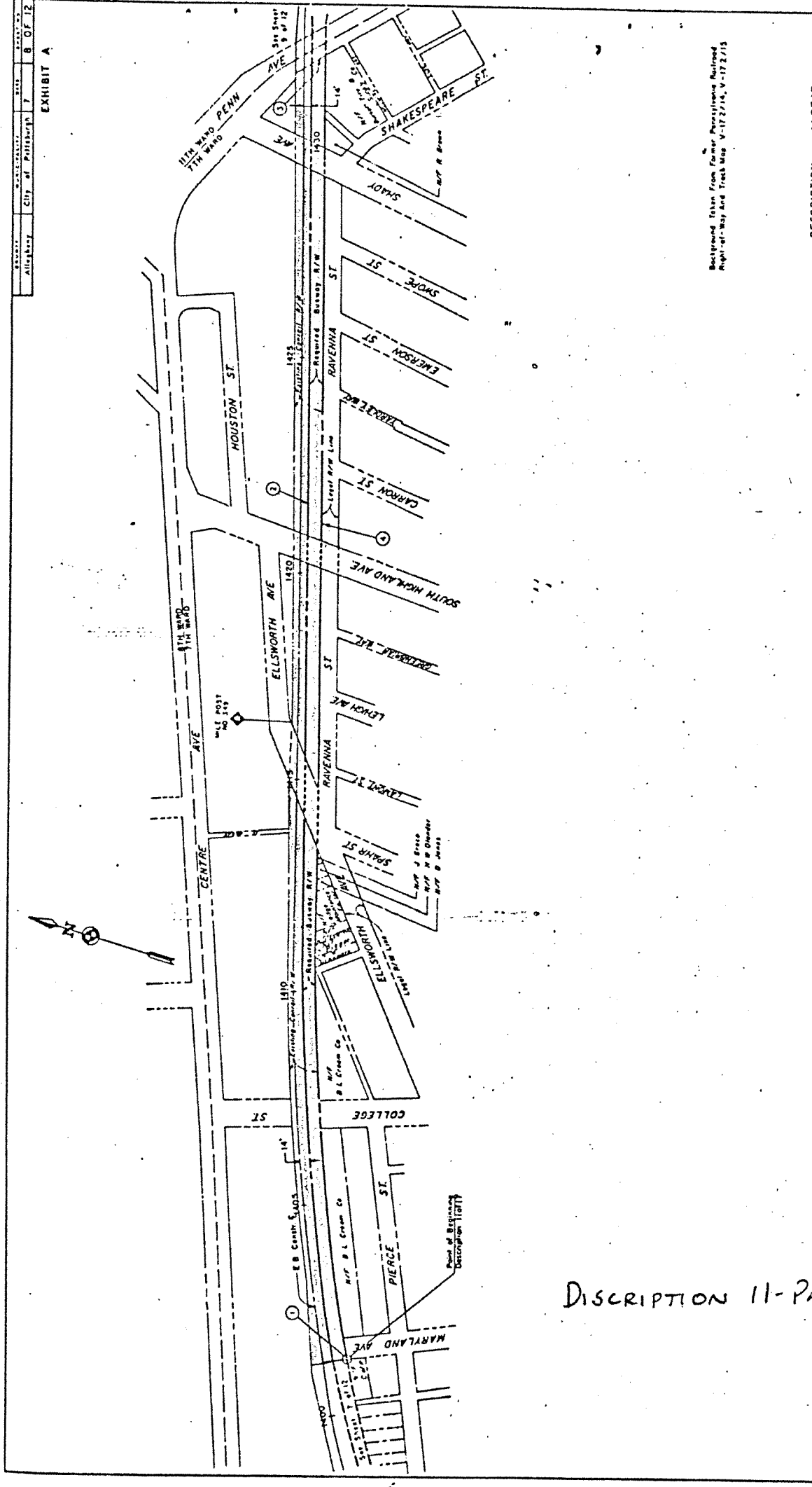
  

NO.	DATE	BY	REVISIONS



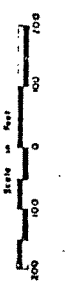
PROPERTY: Allegheny City of Pittsburgh 7 8 OF 12

EXHIBIT A



Background taken from former Pennsylvania Railroad Right-of-Way And Track Map V-172716, V-172715

DESCRIPTION 11 OF 17	
PORT AUTHORITY OF ALLEGHENY COUNTY PITTSBURGH	PROPERTY CONVEYED FROM CONRAIL MICHAEL BAKER, JR., INC. CONTRACTING DIVISION
LEGEND: 071 HRH CONRAIL TAD FJD DATE: 7/23/98 DRAWN BY: J. J. [unclear]	REVISIONS NO. DATE BY DESCRIPTION



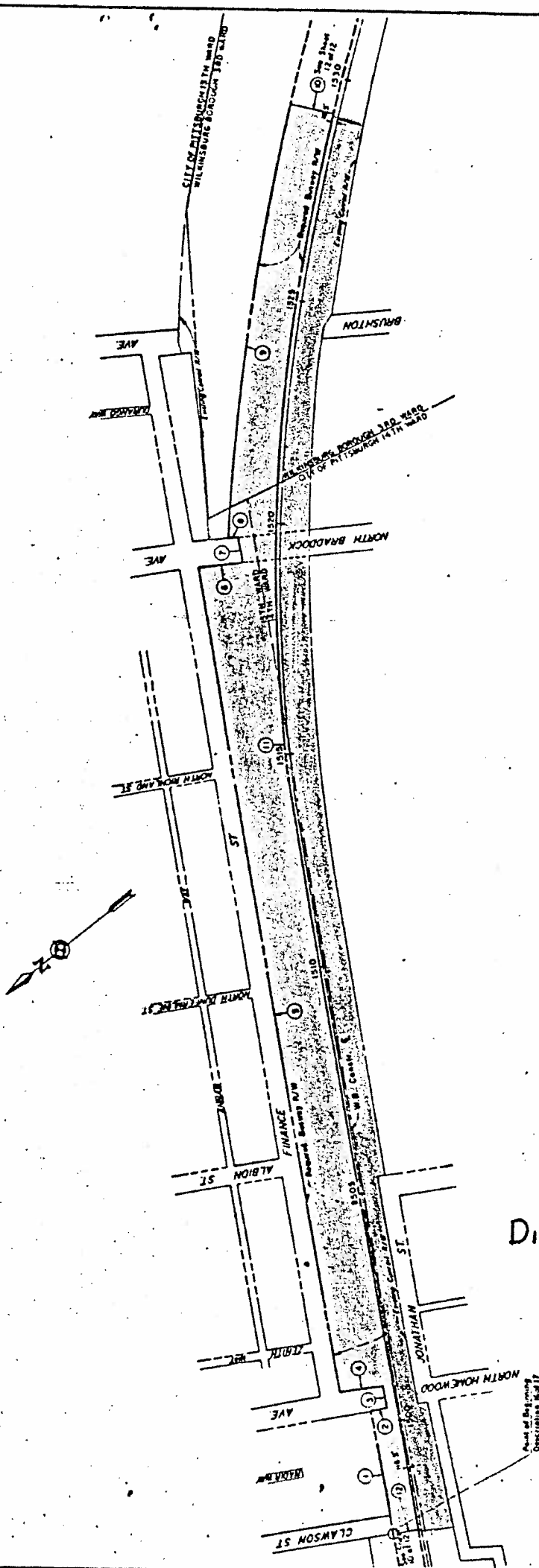
DESCRIPTION 11 - PAGE 583





DATE	12/14	11 OF 12
CITY OF PITTSBURGH	12/14	
WILKINSBURG		

EXHIBIT A



Background Taken From Former Pennsylvania Railroad Right-of-Way Map First Sup. V-1724, 1-17213

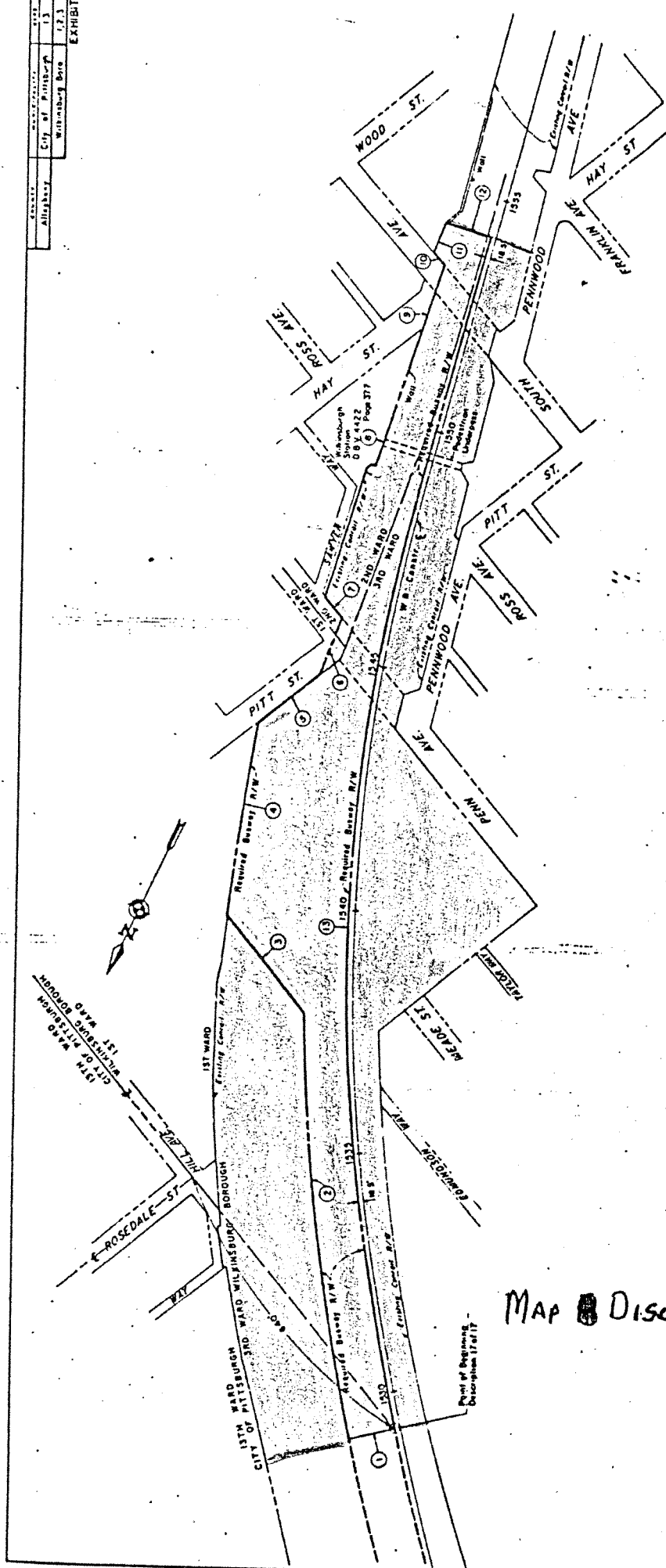
DESCRIPTION 16 OF 17	
PORT AUTHORITY OF ALLEGHENY COUNTY	
EAST BUSWAY	
PROPERTY CONVEYED FROM CONRAIL	
MICHAEL BAKER, JR. INC.	
CONSULTING ENGINEERS	
DATE	REVISIONS
12/14	1
12/14	2
12/14	3
12/14	4
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12/14	8
12/14	9
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12/14	100

DESCRIPTION-16. PAGE 591  
592



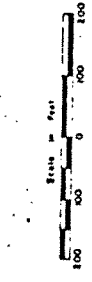
OWNER	ALLEGHENY	DATE	12 OF 12
CITY OF PITTSBURGH	133	123	
WILKINSBURG BOU			

EXHIBIT A



Background Taken From Former Photographs Received  
Right-of-Way and Tract Map V-17 2/12

DESCRIPTION		17 OF 17	
PORT AUTHORITY OF ALLEGHENY COUNTY			
PITTSBURGH			
EAST BUSWAY			
PROPERTY CONVEYED FROM CONRAIL			
MICHAEL BAKER, JR., INC.			
CONSULTING ENGINEERS			



PAGES  
MAP DISCREPANCY 17-593-594  
595

72122

SEP 27 1978

DEED  
and

GRANTS OF EASEMENTS

CONSOLIDATED RAIL CORPORATION

**AFFIDAVIT**

PORT AUTHORITY OF ALLEGHENY COUNTY

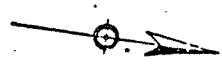
*221  
221  
PA 15233  
86150  
PA*

MAIL TO:  
Port Authority of Allegheny County  
Beaver & Island Avenues  
Pittsburgh, PA 15233

Property situate in 2nd, 5th, 6th,  
7th, 8th, 11th, 12th, 13th & 14th  
Wards in the City of Pittsburgh and  
1st, 2nd, & 3rd Wards in the Borough  
of Wilkinsburg, Allegheny Co., Penna.

# INDEX MAP EXHIBIT 5A

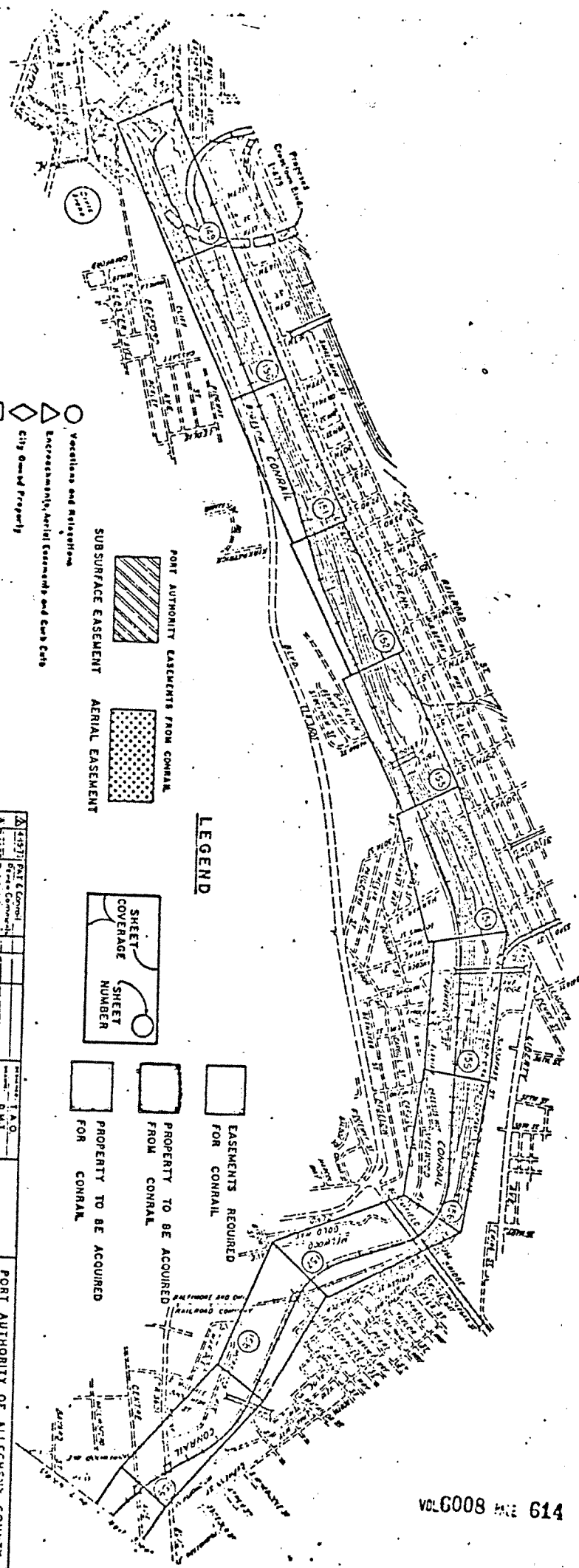
JUNE 15, 1978  
(DATE)



REVISED	DESCRIPTION
AUG. 21, 1978	5th, 6th, 14th - GRANT ST. DRIVEWAY

DATE	DESCRIPTION

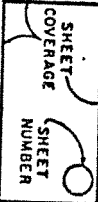
**NOTES:**  
Background information reproduced from Allegheny County Lot & Block Maps and Corroll Right-of-Way Appraisal Plans



- Verticals and Reliefs
- ◇ Increasingly Aerial Easements and City Cuts
- City Owned Property
- Water and Sewer Lines

- ▨ PORT AUTHORITY EASEMENTS FROM CONRAIL
- ▤ SUBSURFACE EASEMENT
- ▧ AERIAL EASEMENT

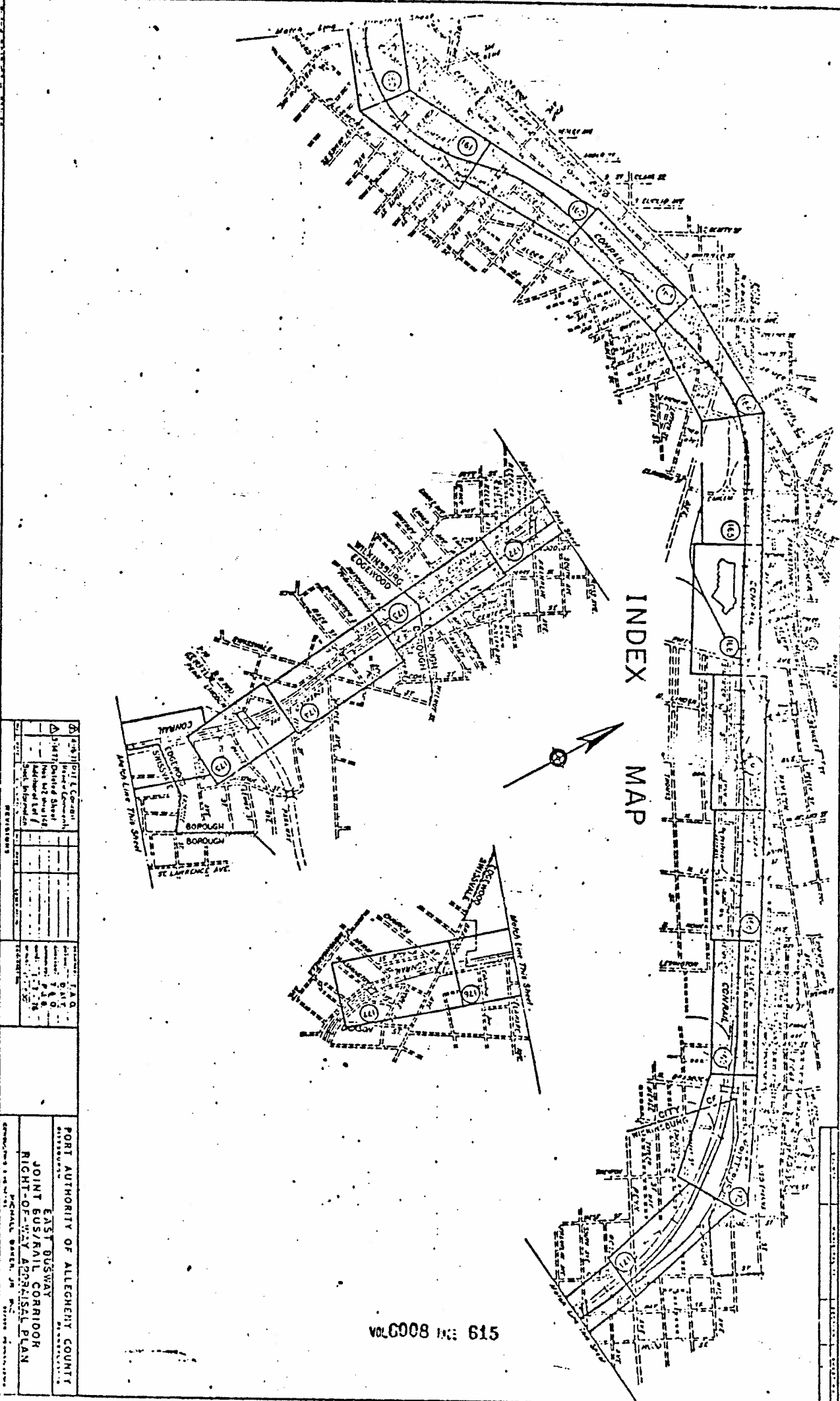
**LEGEND**



- EASEMENTS REQUIRED FOR CONRAIL
- PROPERTY TO BE ACQUIRED FROM CONRAIL
- PROPERTY TO BE ACQUIRED FOR CONRAIL

DATE	DESCRIPTION	BY	FOR
11/23/77	PAI & Conrail		

PORT AUTHORITY OF ALLEGHENY COUNTY  
EAST BUSWAY  
JOINT BUS/RAIL CORRIDOR  
RIGHT-OF-WAY APPRAISAL PLAN  
McGraw-Hill Construction Information Group

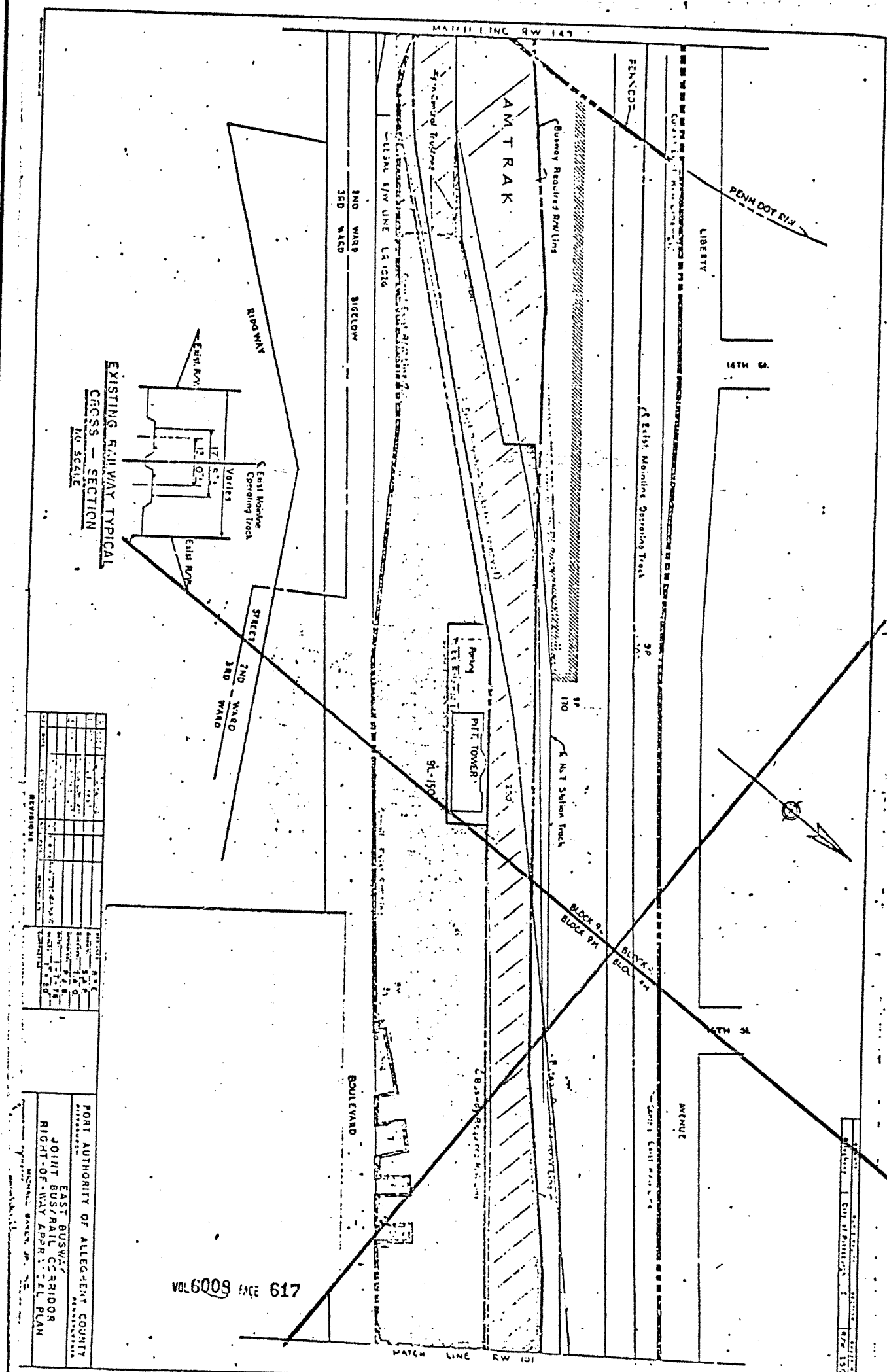


INDEX  
MAP

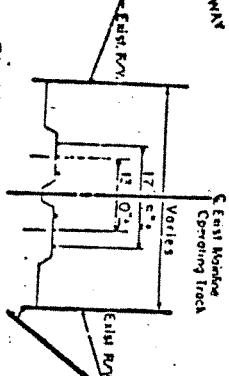
Callout	Address	Block	Lot	Area	Notes
1	1000-1001	1000	1000	1000	
2	1002-1003	1002	1002	1002	
3	1004-1005	1004	1004	1004	
4	1006-1007	1006	1006	1006	
5	1008-1009	1008	1008	1008	
6	1010-1011	1010	1010	1010	
7	1012-1013	1012	1012	1012	
8	1014-1015	1014	1014	1014	
9	1016-1017	1016	1016	1016	
10	1018-1019	1018	1018	1018	
11	1020-1021	1020	1020	1020	
12	1022-1023	1022	1022	1022	
13	1024-1025	1024	1024	1024	
14	1026-1027	1026	1026	1026	

FORT AUTHORITY OF ALLEGHENY COUNTY  
 EAST BUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPROPRIATION PLAN  
 SMALL SCALE OF 1" = 100'





EXISTING RAILWAY TYPICAL  
CROSS SECTION  
NO SCALE



NO.	DESCRIPTION	DATE	BY	CHECKED
1	DESIGNED	1/15/80	J. J. ...	...
2	DRAWN	1/15/80	...	...
3	CHECKED	1/15/80	...	...
4	APPROVED	1/15/80	...	...

NO.	DESCRIPTION	DATE	BY	CHECKED
1	DESIGNED	1/15/80	J. J. ...	...
2	DRAWN	1/15/80	...	...
3	CHECKED	1/15/80	...	...
4	APPROVED	1/15/80	...	...

PORT AUTHORITY OF ALLEGHENY COUNTY  
EAST BUSWAY  
JOINT BUS/RAIL CORRIDOR  
RIGHT-OF-WAY APPROPRIATION PLAN

VOL. 6008 PAGE 617

DATE: 1/15/80  
DRAWN BY: J. J. ...  
CHECKED BY: ...  
APPROVED BY: ...

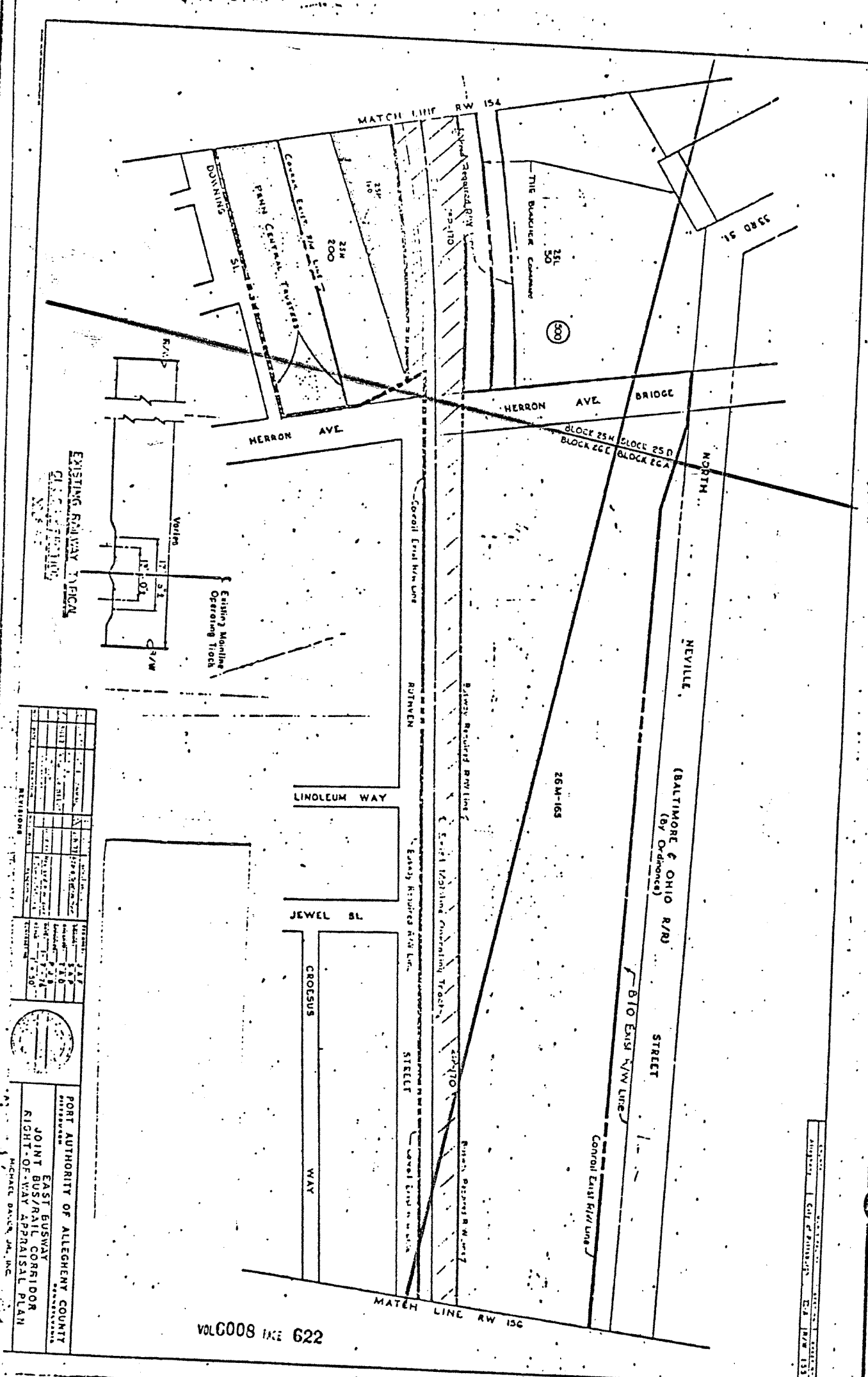










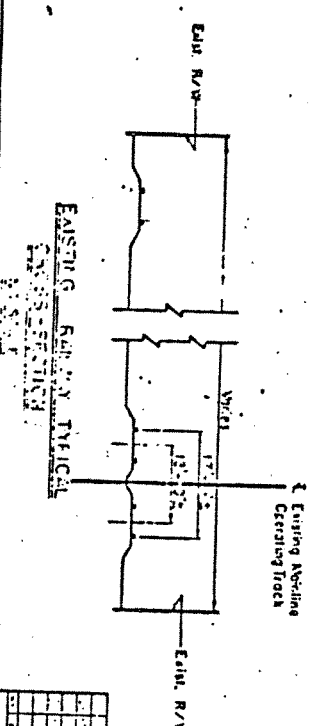
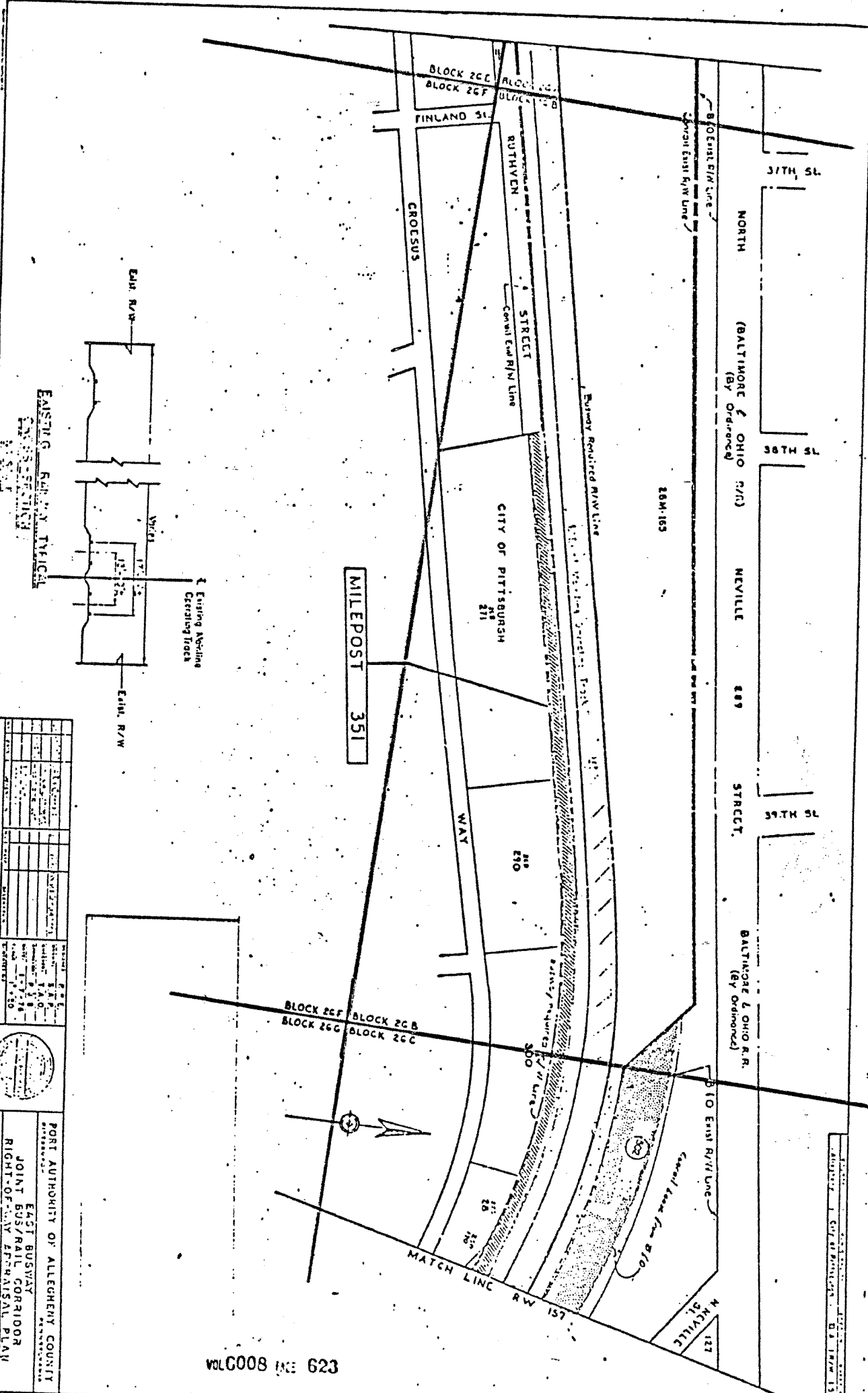


NO.	DATE	REVISIONS
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4	11/5/78	REVISED DESIGN
5	11/15/78	REVISED DESIGN
6	11/25/78	REVISED DESIGN
7	12/5/78	REVISED DESIGN
8	12/15/78	REVISED DESIGN
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90	3/25/81	REVISED DESIGN
91	4/5/81	REVISED DESIGN
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95	5/15/81	REVISED DESIGN
96	5/25/81	REVISED DESIGN
97	6/5/81	REVISED DESIGN
98	6/15/81	REVISED DESIGN
99	6/25/81	REVISED DESIGN
100	7/5/81	REVISED DESIGN

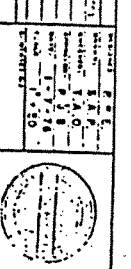
PORT AUTHORITY OF ALLEGHENY COUNTY  
 EAST BUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPRAISAL PLAN  
 MICHAEL BAKER CORP., INC.

VOL008 PAGE 622

MICHAEL BAKER CORP., INC.  
 1000 BROADWAY  
 PITTSBURGH, PA 15203  
 TEL: 412-281-1000  
 FAX: 412-281-1001  
 DATE: 11/15/78  
 DRAWN BY: J.M.B.  
 CHECKED BY: J.M.B.  
 APPROVED BY: J.M.B.



NO.	DATE	BY	REVISIONS

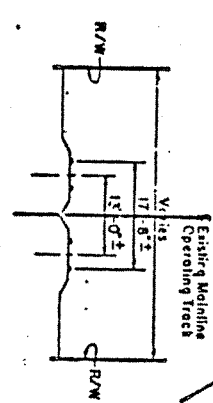
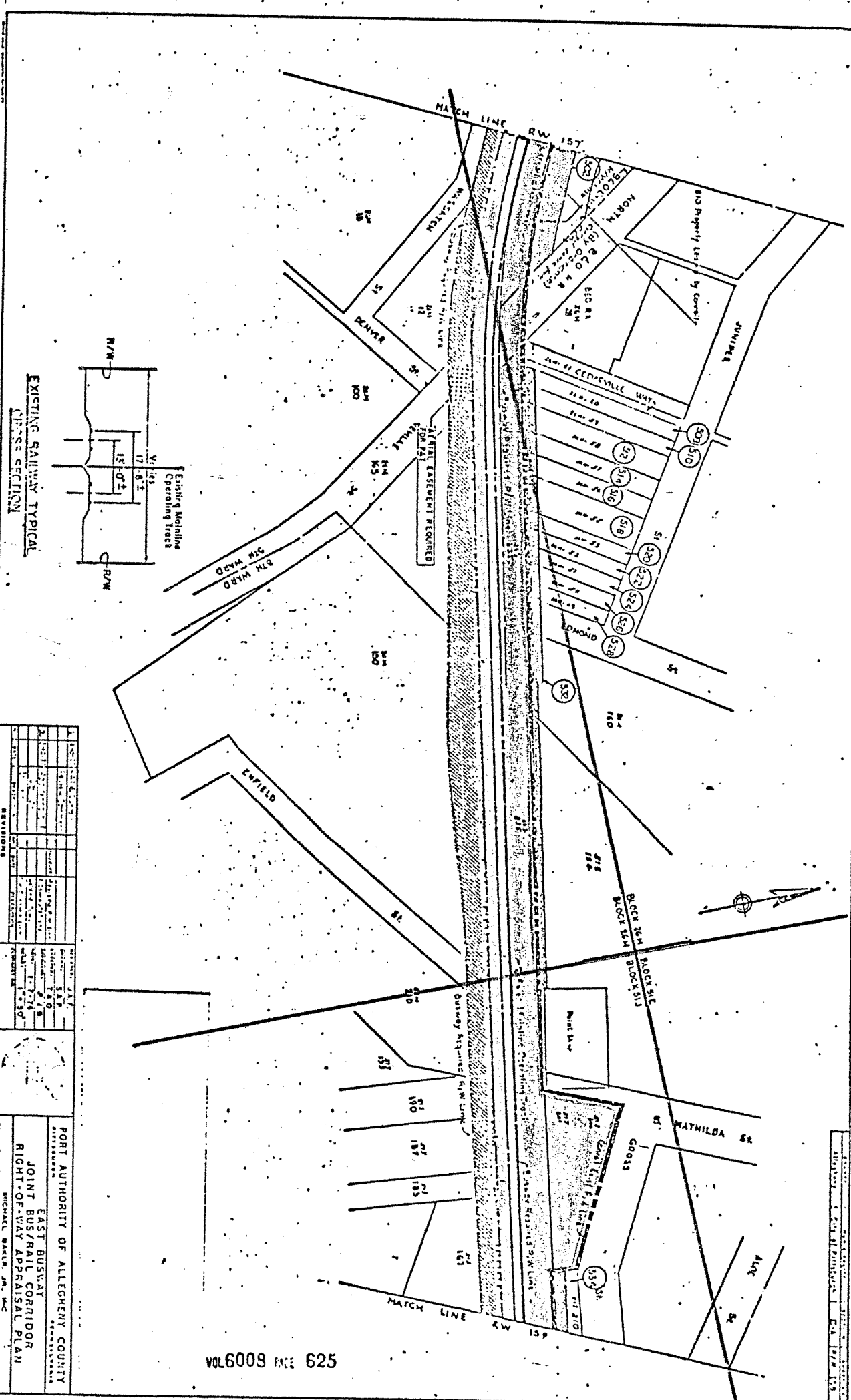


PORT AUTHORITY OF ALLEGHENY COUNTY  
 EAST BUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPRAISAL PLAN  
 PREPARED BY: [Name]  
 DATE: [Date]

WOL008 (REV) 623

DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: [Date]





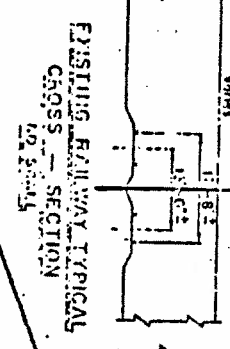
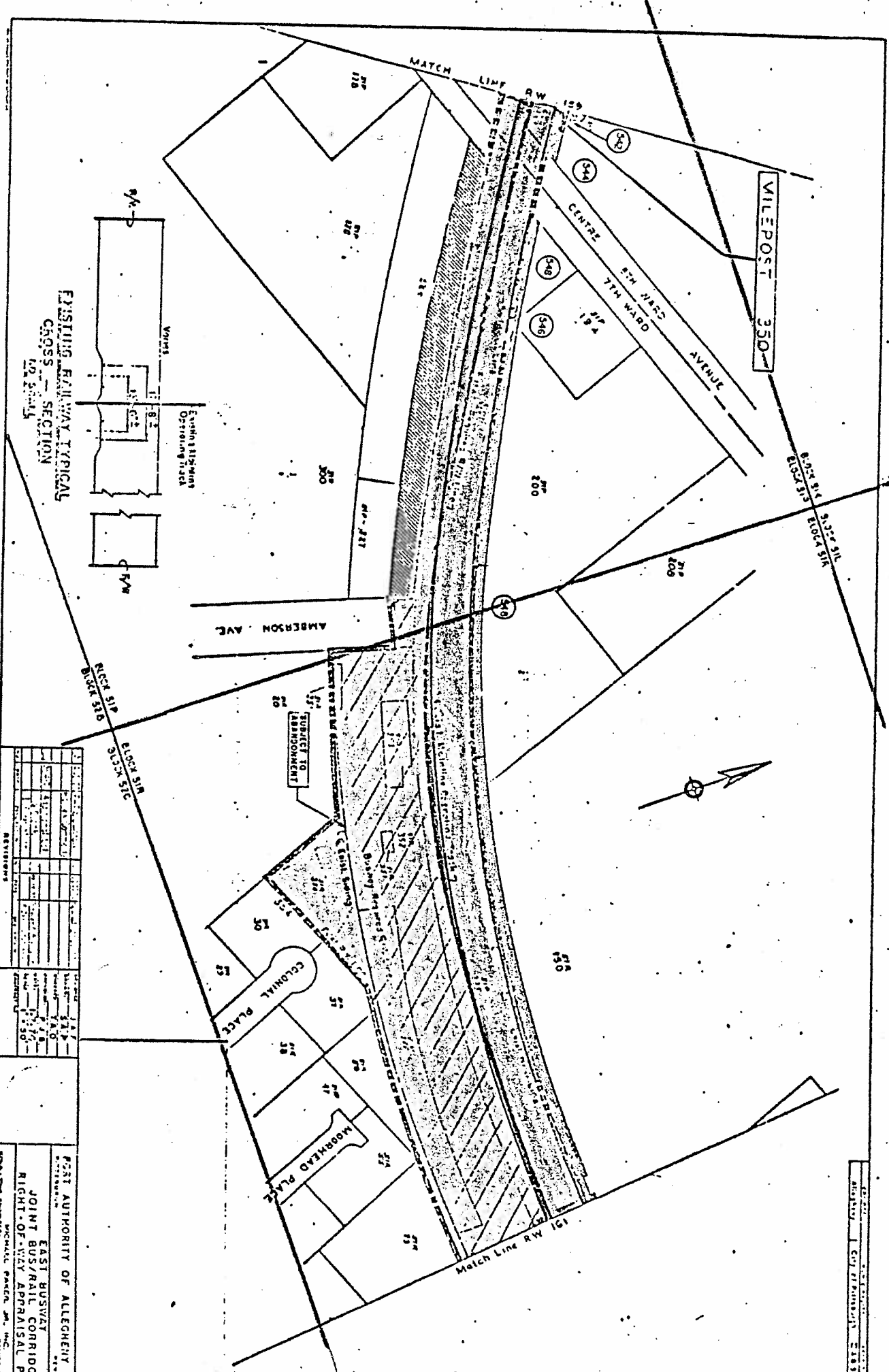
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THREE SECTION

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PORT AUTHORITY OF ALLEGHENY COUNTY  
 ADDRESS: 100 MARKET STREET, PITTSBURGH, PA 15222  
 EAST BUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPRAISAL PLAN  
 MICHAEL BAKER CORP.  
 100 MARKET STREET, PITTSBURGH, PA 15222

DATE: 10/1/78  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: AS SHOWN





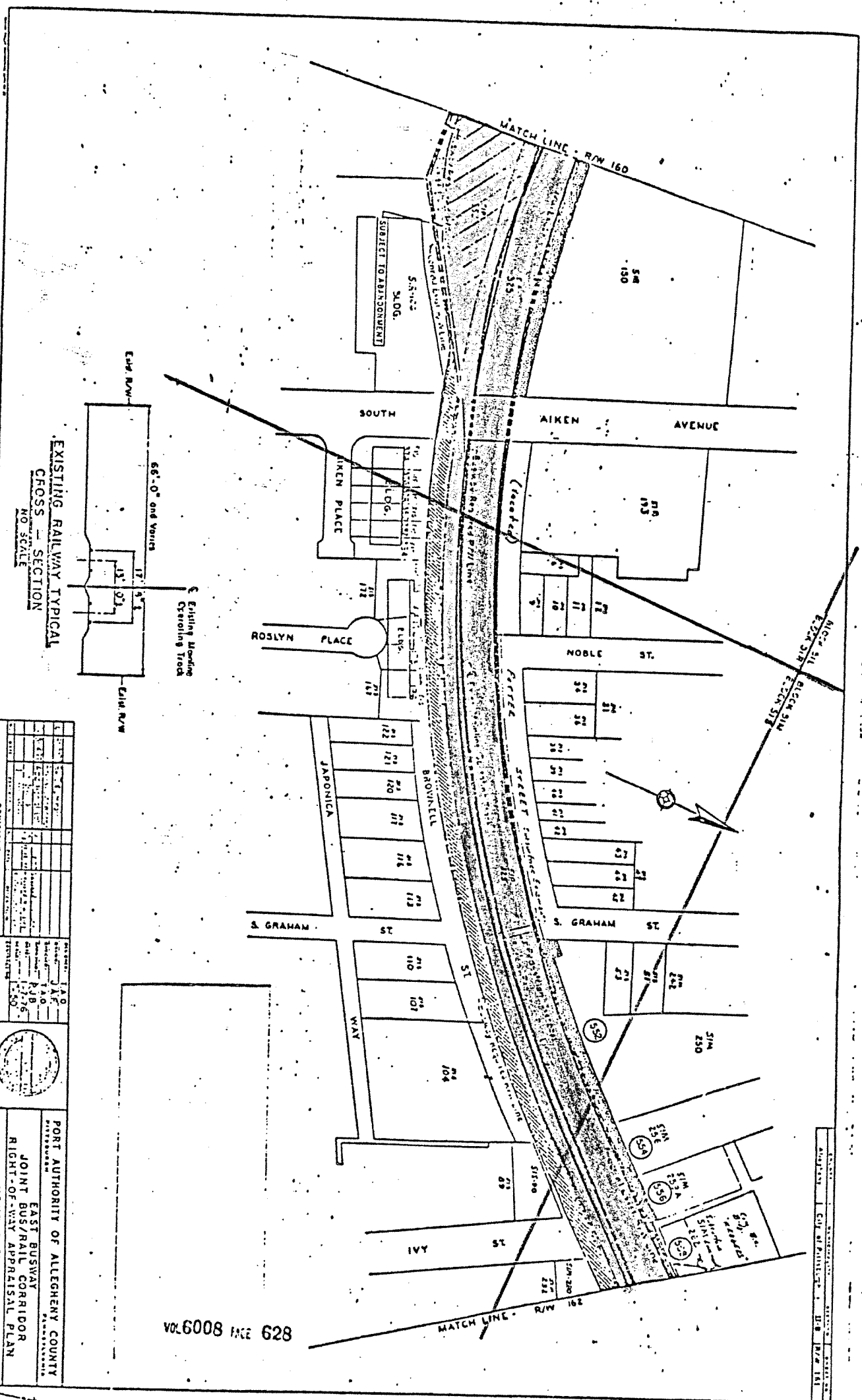
REVISIONS	
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8	ISSUED FOR RECORD
9	ISSUED FOR RECORD
10	ISSUED FOR RECORD

EAST AUTHORITY OF ALLEGHENY COUNTY  
 EAST RUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPRAISAL PLAN

627 PAGE 008

DATE: 11/15/11  
 DRAWN BY: J. B. BROWN  
 CHECKED BY: J. B. BROWN  
 APPROVED BY: J. B. BROWN  
 TITLE: RIGHT-OF-WAY APPRAISAL PLAN





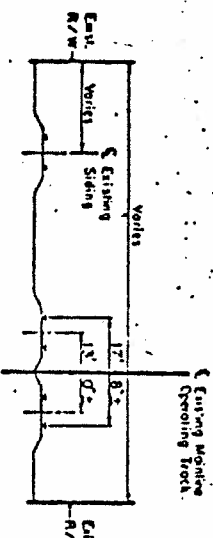
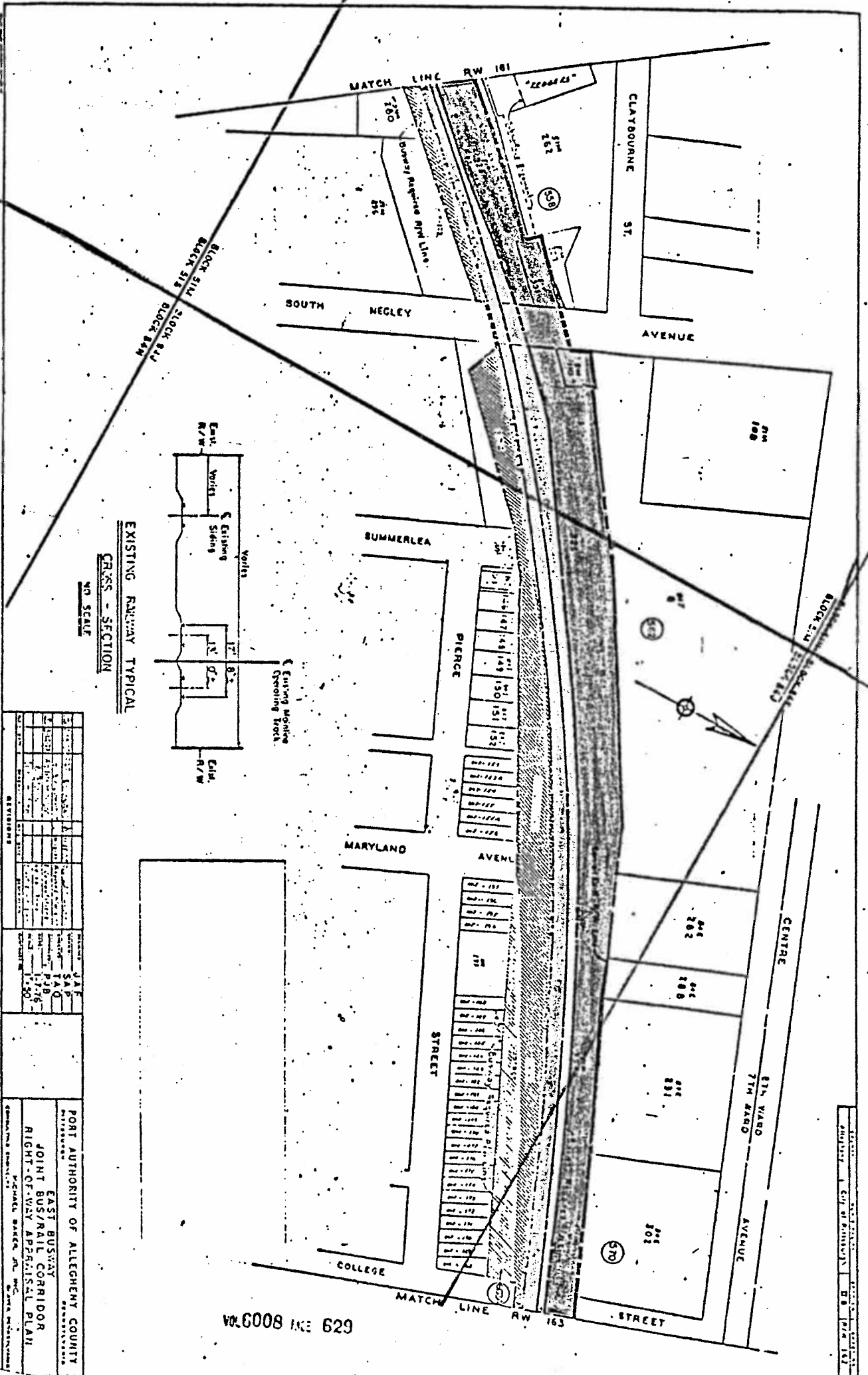
EXISTING RAILWAY TYPICAL  
CROSS SECTION  
NO SCALE

NO.	DATE	REVISIONS
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PORT AUTHORITY OF ALLEGHENY COUNTY  
EAST BUSWAY  
JOINT BUS/RAIL CORRIDOR  
RIGHT-OF-WAY APPRAISAL PLAN  
MICHAEL BAKER CO. INC.  
STATE PENNSYLVANIA

NO.	DATE	REVISIONS
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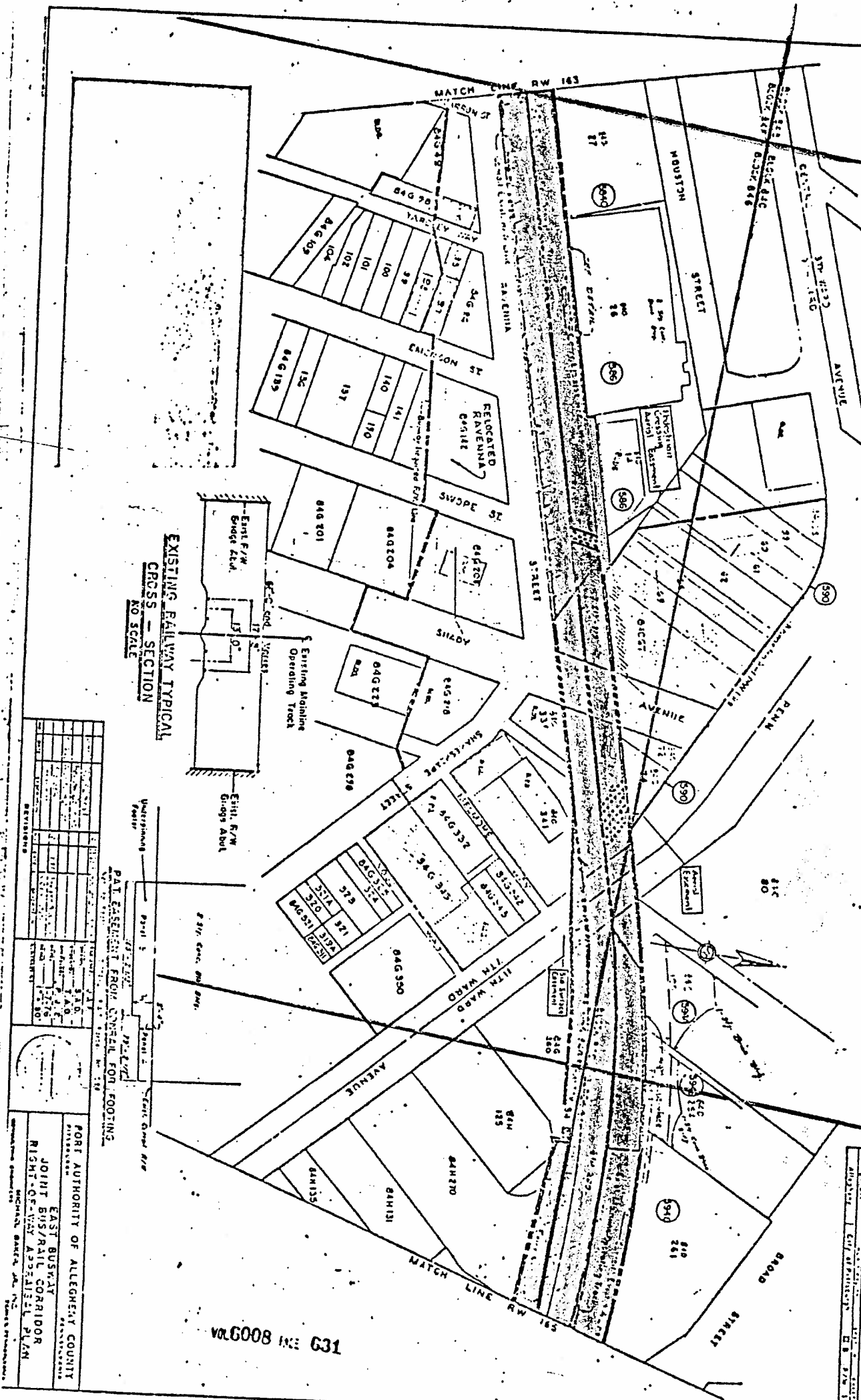


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3	ISSUED FOR BIDDING	11/15/76	JAF	
4	ISSUED FOR CONTRACT	11/15/76	JAF	
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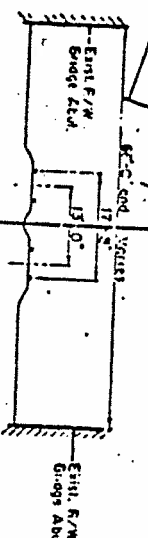
PORT AUTHORITY OF ALLEGANY COUNTY  
EAST BUSWAY  
JOINT BUS/RAIL CORRIDOR  
RIGHT-OF-WAY APPRAISAL PLAN  
MICHAEL BAKER, INC. ENGINEERS

DATE: 11/15/76  
DRAWN BY: JAF  
CHECKED BY: JAF  
APPROVED BY: JAF  
SCALE: AS SHOWN





EXISTING RAILWAY TYPICAL CROSS - SECTION  
NO SCALE



NO.	DATE	REVISIONS
1	10/1/54	PRELIMINARY PLAN
2	10/1/54	REVISED PLAN
3	10/1/54	REVISED PLAN
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6	10/1/54	REVISED PLAN
7	10/1/54	REVISED PLAN
8	10/1/54	REVISED PLAN
9	10/1/54	REVISED PLAN
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PORT AUTHORITY OF ALLEGHENY COUNTY  
EAST BUS/RAIL CORRIDOR  
RIGHT-OF-WAY APPROPRIATION PLAN

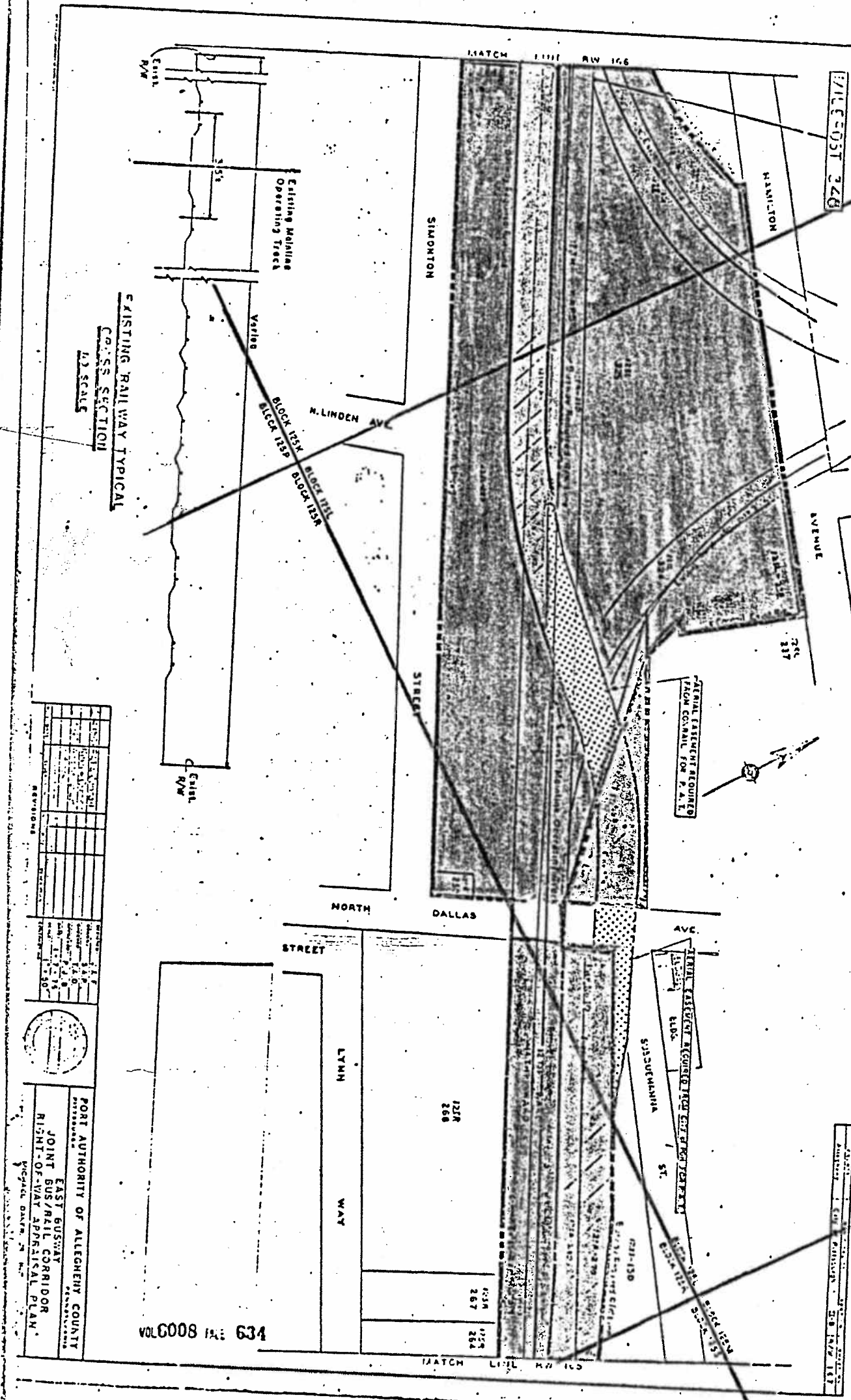
Vol. 6008 IN: 631

DATE: 10/1/54  
DRAWN BY: J. B. B. 10/1/54  
CHECKED BY: J. B. B. 10/1/54  
APPROVED BY: J. B. B. 10/1/54



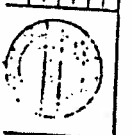






EXISTING RAILWAY TYPICAL  
 CROSS SECTION  
 1/2" SCALE

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NO.	DESCRIPTION
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3	REVISED TO SHOW CHANGES
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10	REVISED TO SHOW CHANGES



POST AUTHORITY OF ALLEGHENY COUNTY  
 EAST GUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPRAISAL PLAN

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71165051 348

71165051 348

FINAL EXHIBIT REQUIREMENTS FROM COMAIL FOR P.A.I.

FINAL EXHIBIT REQUIREMENTS FROM COMAIL FOR P.A.I.

MATCH LINE RW 166

MATCH LINE RW 165

HAMILTON AVENUE  
 N. LINDEN AVE  
 BLOCK 125A  
 BLOCK 125B  
 BLOCK 125C

SIMONTON STREET  
 LYNN WAY

NORTH DALLAS

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 1229 267  
 1230 264

651-150

651-150

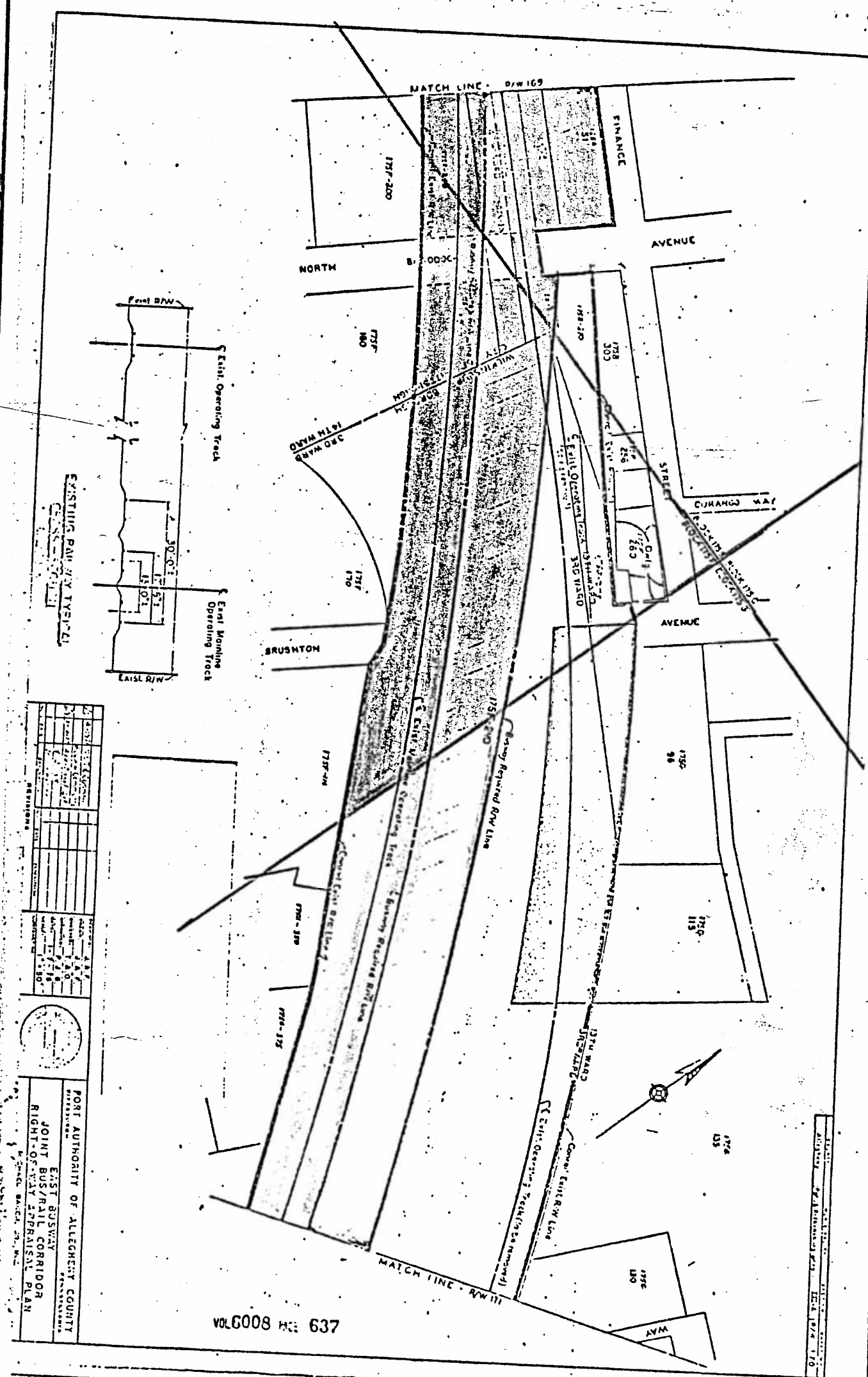
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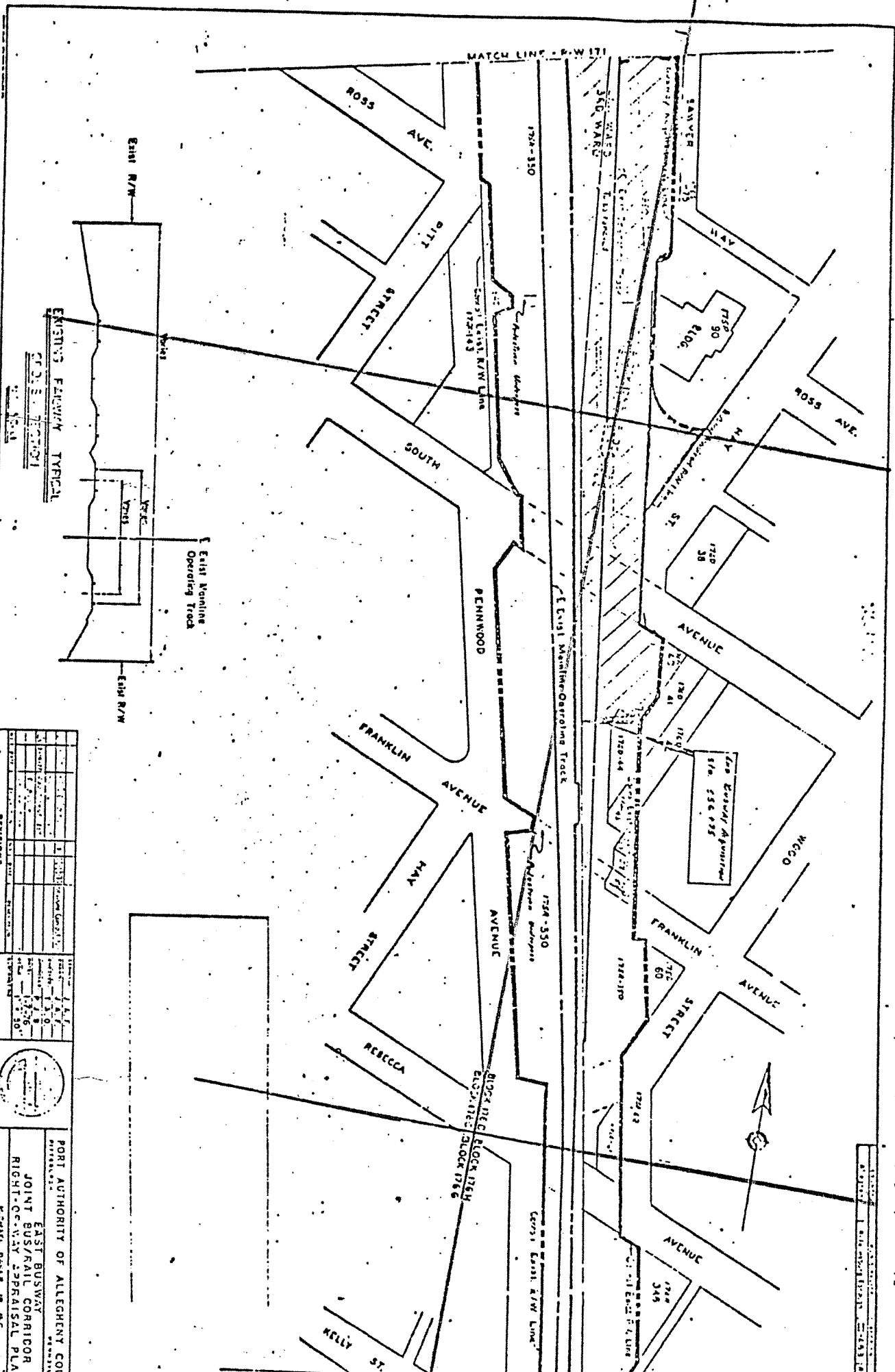
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PORT AUTHORITY OF ALLEGHENY COUNTY  
 EAST BUSWAY  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY SPREAD PLAN  
 PROJECT NO. 88001-01

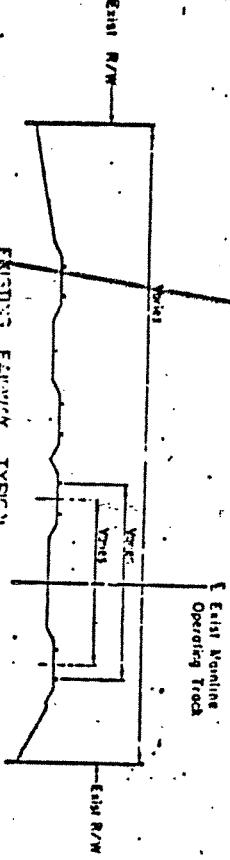
VOL 6008 PAGE 637

TITLE: EAST BUSWAY JOINT BUS/RAIL CORRIDOR RIGHT-OF-WAY SPREAD PLAN  
 DATE: 10/15/88  
 DRAWN BY: J. J. [unclear]  
 CHECKED BY: [unclear]  
 APPROVED BY: [unclear]





EXISTING RAILWAY TYPICAL



REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR REVIEW
2	REVISED PER COMMENTS
3	REVISED PER COMMENTS
4	REVISED PER COMMENTS
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9	REVISED PER COMMENTS
10	REVISED PER COMMENTS



PORT AUTHORITY OF ALLEGHENY COUNTY  
 EAST BUS/RAIL CORRIDOR  
 JOINT BUS/RAIL CORRIDOR  
 RIGHT-OF-WAY APPRAISAL PLAN  
 PREPARED BY: MICHAEL DANER, JR., P.E.  
 REGISTERED PROFESSIONAL ENGINEER

639 8008 VOL

DATE: 10/15/2010  
 DRAWN BY: J. DANER  
 CHECKED BY: J. DANER  
 SCALE: AS SHOWN

SEP 27 1978

72122

*R. M. King*

C O N F O R M E D C O P Y

CONSTRUCTION AGREEMENT

By and Between

PORT AUTHORITY OF ALLEGHENY COUNTY

and

CONSOLIDATED RAIL CORPORATION

VOL 6008 PAGE 640

*Exhibit "B"*