

DEED

MADE this 22nd day of JUNE in the year of our Lord one thousand nine hundred and ninety (1990).

Between ROBERT E. EBERLY of Uniontown, Fayette County, Pennsylvania, Trustee under Deed of Trust of Orville Eberly, dated July 9, 1958, GRANTOR,

51-Local Hqs.
R.E. TRANS. TAX PRD
6-22-1990 \$140.00
Rec # *447* Recorder of Deeds

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35-50 Uniontown
R.E. TRANS. TAX PRD
6-22-1990 \$140.00
Rec # *447* Recorder of Deeds

M. KATHLEEN BURNS, single, of Uniontown, Fayette County, Pennsylvania, GRANTEE.

WITNESSETH, that in consideration of Twenty-Eight Thousand (\$28,000.00) Dollars paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey to said Grantee:

ALL that lot of land situate in South Union Township, Fayette County, Pennsylvania, known as Lot No. 22, in the Regency Forest Plan No. 2, laid out by Robert E. Eberly, Trustee, and of record in the Recorders Office, Fayette County, Pennsylvania in Plan Book No. 35, Page 82. Said Lot No. 22 is more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly side of Kings Way, said point being the most southerly corner of Lot No. 21 in the Regency Forest Plan No. 2; thence from said place of beginning along Lot No. 21, North 56° 53' 39" East 193.78 feet to a point; thence along Lot No. 17 and 18 in the Regency Forest

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
REALETY TRANSFER TAX
JUN 27 90
280.00
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Plan No. 1, as recorded in Plat Book Vol. 35 page 81, South 33° 06' 21" East 121.93 feet to a point; thence along Lot No. 23, South 56° 53' 39" West 193.78 feet to a point on Kings Way; thence along Kings Way, North 33° 06' 21" West 121.93 feet to the place of beginning. CONTAINING an area of 0.54224 of an acre, as per survey of McMillen Engineering, dated October, 1989.

SUBJECT To the Covenants and Restrictions as set out in the Declarations recorded May 2, 1990, in the office of the Recorder of Deeds of Fayette County, Pennsylvania, in Record Book 682 page 69.

EXCEPTING AND RESERVING hereout and herefrom all the nine (9) Foot vein of coal, iron ore and other minerals and substances beneath the said nine (9) foot vein of coal which may lie within the above described tract of land, together with the mining rights, conveyed by deed of Abraham Bord and wife to Jasper M. Thompson, dated December 17, 1885, and recorded in the Recorder's Office aforesaid in Deed Book Volume 66, page 155.

UNDER AND SUBJECT to the easements as depicted in Regency Forest Plan No. 2 above referred to.

BEING a part of the larger tract of land conveyed to Grantor by deed of Orville Eberly and Ruth R. Eberly, his wife, dated September 29, 1980, and recorded in the office of the Recorder of Deeds of Fayette County, Pennsylvania, in Deed Book Volume 1279 Page 834.

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

662 B

NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness: Gary A. Brathman M. Kathleen Burrell

This 22ND day of JUNE 1990

AND the said Grantor does hereby covenant that he will warrant GENERALLY the property hereby conveyed.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Laricia A. Miller

Robert E. Ebeley (REAL)
Trustee

COMMONWEALTH OF PENNSYLVANIA:

88.

COUNTY OF FAYETTE :

On this, the 22nd day of June, 1990, before me, the undersigned officer, personally appeared Robert E. Eberly, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official



Geraldine Sante
Notary Public
My Commission Expires:



CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the within named Grantee is:

Parshing Avenue, Uniontown, PA 15401

DATE: June 22, 1990

David J. Frankhouse
Attorney for Grantee



MAIL GRANTEE

STATE OF PENNSYLVANIA
COUNTY OF FAYETTE

Recorded on June 22, A.D. 19 90

in the Recorders Office in record Book 703

Page 59. Given Under my hand and the seal of said office this day written.

David G. Malosky Recorder of Deeds

RECORDED
90 JUN 22 PM 4:09
DAVID G. MALOSKY
RECORDER
FAYETTE COUNTY

13.11
280.11
980.

703-59
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