

10516

GRANT OF EASEMENT

THIS Indenture, made this *2nd* day of *December* A.D. 1991

by and between CONSOLIDATED RAIL CORPORATION, a Corporation of the Commonwealth of Pennsylvania, having a mailing address of Room 1500, Six Penn Center Plaza, Philadelphia, Pennsylvania 19103 ("Grantor") and CRC PROPERTIES, INC., a Corporation of the State of Delaware, having a mailing address of Room 1418, Six Penn Center Plaza, Philadelphia, Pennsylvania 19103 ("Grantee").

WITNESSETH, that Grantor, in consideration of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, and of the mutual covenants and agreements hereinafter set forth, has granted, bargained and sold, and by these presents does grant, bargain and sell unto the Grantee and its successors and assigns, the exclusive, perpetual and assignable easements in, on, over, under, within, above, along, through and across the property and lands described in Exhibit "A" (hereinafter referred to as the "Property") for existing and future installations and related operation, use, maintenance, repair, replacement, augmentation, modification, enlargement, renewal and removal of any and all communication, fiber optic and telecommunication lines and systems of every kind and character, and any and all associated facilities and appurtenances (hereinafter collectively referred to as the "Facilities"), for any uses and purpose, without limitation.

TOGETHER with the free and unimpeded right of ingress, egress and regress to, from and through the Property as may be necessary in order to permit the installation, operation, use, maintenance, repair, augmentation, modification, enlargement, renewal, replacement and removal of the Facilities.

IT BEING UNDERSTOOD AND AGREED that the easements and rights hereby granted, transferred and conveyed shall not

unreasonably interfere with Grantor's continued ability to perform its common carrier freight rail service obligations.

TO HAVE AND TO HOLD the aforesaid easements and rights, unto the said Grantee, its successors and assigns, forever.

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

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— IN WITNESS WHEREOF the said Grantor hereunto sets

its name and Corporate seal by M. Virginia Ebert, its Director-Management Services, and J. D. McGEEHAN, its Assistant Secretary, this 2nd day of December, 1991.

SIGNED and ACKNOWLEDGED in the presence of:

CONSOLIDATED RAIL CORPORATION By:

Juliana R. Sparks  
JULIANA R. SPARKS

M. Virginia Ebert  
M. Virginia Ebert, Director-Management Services

Nancy B. Reynolds  
NANCY B. REYNOLDS

J. D. McGEEHAN  
Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF PHILADELPHIA )

SS

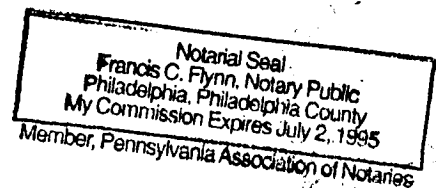
BEFORE ME, a Notary Public in and for said Commonwealth and County, personally appeared the above named CONSOLIDATED RAIL CORPORATION, by M. Virginia Ebert, its Director-Management Estate Field Services and its Assistant Secretary, who acknowledged that they did sign the foregoing Instrument and that the same is the free act and deed of said Company and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Philadelphia, Pennsylvania, this 2nd day of December, A. D., 1991.

Francis C. Flynn  
Notary Public

THIS DOCUMENT HAS BEEN PREPARED BY AND SHOULD BE RETURNED TO:

Juliana R. Sparks  
Consolidated Rail Corporation  
Fifteenth Floor, Six Penn Center  
Philadelphia, Pennsylvania 19103  
Case No. 70121-K



:nls

CASE NO. 70121

## PANHANDLE CLUSTER

## EXHIBIT "A"

EASEMENT TO  
CRC PROPERTIES, INC.Tuscarawas County, OhioWeirton Secondary, Line Code 2206/8106

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Weirton Secondary and identified as Line Code 2206 in the Recorder's Office of the County of Tuscarawas, Ohio in Volume 547 at page 769; being further described as follows:

SITUATE in the County of Tuscarawas, State of Ohio, and being the former Philadelphia, Baltimore and Washington Railroad Company's line of railroad known as the Penn Central Pittsburgh-St. Louis Main Line and being all the real property in the County lying in, under, along, contiguous to, adjacent to or connecting to such line.

SUCH line enters the County near Hamilton Road in Union, passes through Uhrichsville, Port Washington and Newcomerstown, and leaves the County west of Goodrick Street in Newcomerstown.

THE LINE of railroad described herein is identified as Line Code 2206/8106 in the records of the United States Railway Association.

BEING a part or portion of the same premises which John C. Kohl, as Trustee of the Property of The Philadelphia, Baltimore and Washington Railroad Company, Debtor, by Conveyance Document No. PB&W-CRC-RP-75, dated March 29, 1976 and recorded on June 5, 1979, in the Recorder's Office of the County of Tuscarawas, Ohio, in Volume 547 at page 764&c., granted and conveyed unto Consolidated Rail Corporation.

NO FURTHER NECESSARY

DATE:

*John A. Budge*  
COUNTY CLERK

10516

RECEIVED FOR RECORD  
DOLORES HIXSON, County Recorder

DEC 11 1991

Recorded 1210 p.m.  
Vol. 547 Page 91 of the  
Records of  
Tuscarawas County, Ohio 1400

THIS EXHIBIT "A" CONTAINS 1 PAGE OF WHICH THIS IS PAGE 1 OF 1.