

**DEED**

MADE the 30<sup>th</sup> day of January 2010, by and between:

**ROBERT M. BAUERMASTER and NANCY J. BAUERMASTER**,  
husband and wife, of 7704 Glades Pike, Berlin, Pennsylvania, 15530,  
Parties of the First Part and the WITHIN GRANTORS,

AND

**THOMAS A. WALKER and BRENDA S. WALKER**, husband and  
wife, of 2699 Coleman Station Road, Berlin, Pennsylvania, 15530, to hold  
as tenants by the entireties, Parties of the Second Part and the WITHIN  
GRANTEES.

WITNESSETH, that in consideration of **ONE AND 00/100 (\$1.00) DOLLAR**, in hand  
paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and  
convey to the said Grantees, their heirs and assigns:

PARCEL NO. 1: ALL the following described real estate situate in Stonycreek  
Township, Somerset County and State of Pennsylvania:

BEGINNING at a corner marked by stones in the line of William Platt; thence by lands  
now or formerly of John F. Reiman, South 61 degrees East 41 perches to stones; thence  
South 37 ½ degrees West 22 perches to stones; thence South 35 degrees East 73.2  
perches to the Shanksville Road; thence along said road South 48 ½ degrees West 66  
perches; thence South 73 ½ degrees West 49.5 perches to the Cemetery; thence along  
said Cemetery North 46 ½ degrees West 8.2 perches; thence South 42 ½ degrees West 8  
perches to the Somerset and Bedford Pike; thence along said Pike North 49 ½ degrees  
West 56 perches; thence North 73 ½ degrees West 74.5 perches to post; thence by lands  
now or formerly of George Schrock North 13 degrees East 64 perches to a post; thence  
North 32 degrees East 11 perches to stones; thence North 36 ¾ degrees West 51 perches  
to stones; thence by land now or formerly of William Schrock North 33 ½ degrees East  
68 perches to stones; thence by lands now or formerly of William Platt South 78 degrees  
East 46 perches to the Berlin and Stoystown public road; thence along said road South 3  
degrees East 18.6 perches; thence along other public road south 81 degrees East 49  
perches to stones; thence South 6 degrees West 12 perches to stones; thence South 64 ½  
degrees East 50 perches to the place of beginning. CONTAINING 172 acres, more or  
less.

BEING Tax Reference No. 44-0-000520, Map No. S44-010-052-00.

ALSO BEING the same premises conveyed unto Robert M. Bauermaster and Deloris Jane Bauermaster, husband and wife, by Claude R. Bauermaster and Elsie V. Bauermaster, husband and wife, by Deed dated May 4, 1953, and recorded in the Office of the Recorder of Deeds of Somerset County Pennsylvania, in Deed Book Volume 456, Page 51. The said Deloris Jane Bauermaster departed this life on April 17, 1983 vesting the entire title in Robert M. Bauermaster, by operation of law. Robert M. Bauermaster subsequently married Nancy J. Bauermaster on December 31, 1991, who joins in this deed to transfer any interest obtained by virtue of her marriage to Robert M. Bauermaster.

PARCEL NO. 2: ALL that certain piece, parcel or tract of land situate in the township of Stonycreek, County of Somerset, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stone, corner of lands now or formerly of Allen F. Mostoller on line of land now or formerly owned by Jacob C. Reiman, thence by land of said Allen F. Mostoller, South forty and one fourth degrees West, three hundred and sixty-four feet (S.  $40 \frac{1}{4}$  W. 364 ft.) to a stone, thence by same South twenty nine and one half degrees East, one thousand two hundred and sixteen feet, (S.  $29 \frac{1}{2}$  E. 1216 ft.) to a post at the public road leading from Shanksville to the Somerset and Bedford Pike, thence by said road, North fifty one and one half degrees East, five hundred and thirteen feet to a post, (N.  $51 \frac{1}{2}$  E. 513 ft.), thence by lands of the said Jacob C. Reiman, North thirty seven degrees West, one thousand two hundred and forty two feet, (N. 37 W. 1242 ft.) to a post, thence by same North fifty six and one fourth degrees West, thirty feet (N.  $56 \frac{1}{4}$  W. 30 ft.) to the place of beginning. CONTAINING twelve acres and seventy five perches, (12 A. 75 P.) strict measure.

BEING Tax Reference No. 44-0-000540, Map No. S44-010-053-00.

ALSO BEING the same premises conveyed unto Robert Mostoller Bauermaster and Deloris Jane Bauermaster, husband and wife, by Emma S. Mostoller and Allen F. Mostoller, her husband, by Deed dated August 25, 1954, and recorded in the Office of the Recorder of Deeds of Somerset County, Pennsylvania, in Deed Book Volume 548, Page 483. The said Deloris Jane Bauermaster departed this life on April 17, 1983 vesting the entire title in Robert M. Bauermaster, by operation of law. Robert M. Bauermaster subsequently married Nancy J. Bauermaster on December 31, 1991, who joins in this deed to transfer any interest obtained by virtue of her marriage to Robert M. Bauermaster.

PARCEL NO. 3: ALL that certain tract of land situate in STONYCREEK TOWNSHIP, Somerset County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a spike, corner on Route 31 leading from Somerset to Bedford, at corner of tract hereby conveyed and residue of which this tract was a part; thence by said Route No. 31 South  $42\frac{1}{2}$  degrees East 282 feet to another spike; thence by land of Emma Zarfoss North 53 degrees East 230 feet to a post; thence by residue of which this was a part North 28 degrees West 237 feet to a post; thence by same South  $58\frac{1}{2}$  degrees West

206 feet to a post; thence North 28 degrees West 33 feet to a post; thence South 53 degrees West 92 feet to the place of beginning. CONTAINING 1.52 acres.

BEING Tax Reference No. 44-0-000530, Map No. S44-010-049-00.

ALSO BEING the same premises conveyed unto Robert M. Bauernmaster and Nancy J. Bauernmaster, husband and wife, by Robert M. Bauernmaster and Nancy J. Bauernmaster, husband and wife, by Deed dated November 16, 1995, and recorded in the Office of the Recorder of Deeds of Somerset County, Pennsylvania, in Record Book Volume 1295, Page 911.

EXCEPTING AND RESERVING from all three parcels all prior conveyances of record.

FURTHER EXCEPTING AND RESERVING from all three parcels all the coal and mining rights heretofore conveyed.

FURTHER EXCEPTING AND RESERVING from all three parcels one-half (1/2) of Grantors' right, title and interest in and to all oil and gas and all rights to explore for and develop all oil and gas in and to the above three parcels and all mining rights related thereto and TOGETHER WITH one-half (1/2) of Grantors' right, title and interest in and to all oil and gas and all rights to explore for and develop all oil and gas in and to the above three parcels and mining rights related thereto; it being the intention of Grantors and Grantees that after this conveyance, Grantors and Grantees will each own one-half (1/2) of the oil and gas in and to the above three parcels as joint tenants with the right of survivorship and not as tenants in common. PROVIDED, HOWEVER, that should Grantors, or the survivor thereof, desire to sell, transfer and convey the heretofore reserved oil and gas and the rights to explore for and develop the oil and gas, then and in that event, Grantors, or the survivor thereof, shall first offer to sell, transfer and convey their one-half (1/2) share of the oil and gas in its entirety, and the rights to explore for and develop their one-half (1/2) share of the oil and gas in its entirety, unto Grantees, or the survivor thereof, at the then fair market value. Grantees, or the survivor thereof, shall have sixty (60) days from receipt of the Grantors' notice of desire to sell, which shall be in writing, to elect to purchase said oil and gas and ninety (90) days from the exercise of the election, which shall be in writing, to close the purchase of said oil and gas. If a fair market value cannot be agreed upon by the Grantors and Grantees, then the Grantors and Grantees shall collectively select an appraiser whose determination of value shall be used as the fair market value for the sale/purchase. PROVIDED, FURTHER, that if the survivor of Grantors should pass away still retaining their one-half (1/2) share of the aforesaid oil and gas, then and in that event, that one-half (1/2) share shall pass immediately, without cost, to Grantees, or the survivor thereof, as surviving joint tenants.

UNDER AND SUBJECT all conditions, restrictions, covenants, easements and rights-of-way as contained in prior deeds of conveyance or as are apparent on the premises.

*This is a conveyance from father to daughter and son-in-law and is therefore wholly exempt from Pennsylvania Realty Transfer Tax.*

The Grantors hereby acknowledge that the Grantors have not disposed of hazardous waste on the property above described, nor, to the actual knowledge of the Grantors, has hazardous waste ever been disposed of on the property above described. The terms "hazardous waste" and "disposed", as used herein, shall have, in addition to their normal and customary meanings, the definitions contained in the "Solid Waste Management Act", No. 97 of 1980.

**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).**

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## 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:

*Jeffery H. Baky*  
 (as to both)

*Sharon A. Walker*  
*Brenda L. Walker*

This 30<sup>th</sup> day of January 2010

**TOGETHER WITH** all and singular the ways, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging, or in any wise appertaining, and the reversions, and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever, of the said Grantors, in law, equity or otherwise howsoever, of, in and to the same and every part thereof.

**TO HAVE AND TO HOLD** the said privileges, hereditaments and premises hereby granted or mentioned and intended so to be with the appurtenances, if any, unto the said Grantees, and Grantees' heirs and assigns, to and for the only proper use and behoof of the said Grantees, and Grantees' heirs and assigns forever.

**AND** the said Grantors do hereby covenant that they will **WARRANT SPECIALLY** the property hereby conveyed.

**IN WITNESS WHEREOF**, said Grantors have hereunto set their hands and seals the day and year first above written.

*Signed, Sealed and Delivered  
in the Presence of*

Jeffrey L. Berkey

Robert M. Bauernmaster (Seal)  
**ROBERT M. BAUERMASTER**

(as to both)

Nancy J. Bauernmaster (Seal)  
**NANCY J. BAUERMASTER**

**CERTIFICATE OF RESIDENCE**

I do hereby certify that the precise residence of the within named Grantees is 2699 Coleman Station Road, Berlin, Pennsylvania, 15530.

January 30, 2010

Jeffrey L. Berkey  
Jeffrey L. Berkey, Esq.



**SOMERSET COUNTY RECORDER OF DEEDS**  
**PATRICIA A. BRANT, RECORDER**  
**300 NORTH CENTER AVENUE**  
**SUITE 400**  
**SOMERSET, PENNSYLVANIA 15501**  
Phone: (814) 445-1547  
Fax: (814) 445-1563



**RETURN DOCUMENT TO:**  
**ATTY JEFF BERKEY**

**Instrument Number - 2010000826**

**Recorded On 2/1/2010 At 2:27:01 PM**

**\* Instrument Type - DEED**

**Invoice Number - 172691**

**User ID - PAP**

**\* Total Pages - 7**

**\* Grantor - BAUERMASTER, ROBERT M**

**\* Grantee - WALKER, THOMAS A**

**\* Customer - ATTY JEFF BERKEY**

**\* FEES**

<b>STATE WRIT TAX</b>	<b>\$0.50</b>
<b>JCS/ACCESS TO JUSTICE</b>	<b>\$23.50</b>
<b>RECORDING FEES</b>	<b>\$17.00</b>
<b>ROD IMPROVEMENT FUND</b>	<b>\$3.00</b>
<b>COUNTY IMPROVEMENT FUND</b>	<b>\$2.00</b>
<b>AFFORDABLE HOUSING</b>	<b>\$10.00</b>
<b>TOTAL PAID</b>	<b>\$56.00</b>

**This is a certification page**

**DO NOT DETACH**

**This page is now part  
of this legal document.**

**I hereby CERTIFY that this  
document is recorded in the  
Recorder of Deeds Office of  
SOMERSET COUNTY, PENNSYLVANIA**



*Patricia A. Brant*  
**Patricia A. Brant**  
**Recorder Of Deeds**

**\* - Information denoted by an asterisk may change during  
the verification process and may not be reflected on this page.**

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