

**RESOLUTION OF BOROUGH OF INDIAN LAKE**

**WHEREAS**, the BOROUGH OF INDIAN LAKE ("Borough"), Somerset County, Pennsylvania, is a municipality organized and governed by the Pennsylvania Borough Code, as amended, 53 P.S. § 45101, et. seq (the "Code"); and,

**WHEREAS**, Borough has engaged in the renovations of the breast of its dam; and,

**WHEREAS**, the Department of Environmental Protection of the Commonwealth of Pennsylvania (DEP) is requiring Borough as owner of Indian Lake to increase the size of its easement for the rise and fall of water at Indian Lake to an elevation of 2295.5 feet; and,

**WHEREAS**, Borough has obtained deeds of flowage easements for occasional flooding from many property owners which deeds of flowage easement have been recorded in the Office for the Recording of Deeds of Somerset County; and,

**WHEREAS**, the Borough through its authorized agents have been unable to conclude negotiations regarding the acquisition of deeds of flowage easements for occasional flooding that are necessary from a list of property owners and properties in which these easements are required. Said listing of properties and property owners is attached as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED**, by the Indian Lake Borough Council as follows:

1. The Borough take, appropriate and condemn flowage easements for occasional flooding necessary for the renovations and rising of the height of the Indian Lake breast.
2. The officers of said Borough are hereby authorized and to make, execute and deliver the bond of the Borough for the use and benefit of the owners of the easements hereby condemned and/or other parties in interest as may be determined with such amount of damages as said owner shall be entitled to receive after the same shall have been agreed upon or addressed in the manner prescribed by law, and the officers of the Borough and its Solicitor are hereby authorized and directed to institute and file such legal proceedings that may be necessary or proper to make this Resolution effective and to obtain possession of said flowage easements to the elevation of 2295.5 feet without delay.

**Certified** as a true and correct copy as adopted at meeting of Indian Lake Borough Council on May 9, 2012, and further certified that the foregoing Resolution remains in full force and effect this 9<sup>th</sup> day of May, 2012.

Attest:

INDIAN LAKE BOROUGH

Thomas L. Meyant  
Secretary

By Patricia A. Dewar (SEAL)  
Its President

(Corporate Seal)

EXHIBIT A

INDIAN LAKE FLOWAGE EASEMENTS

BCBRM 5/25/11  
5/9/2012

DBV/RBV	Name	Address	City	State	Zip	BCBRM Rec.
1965/723	Thomas M. and Wendy L. O'Malley	608 Sunflower Court	San Ramon	CA	94582	
927/650	Richard Edward Thompson Alan Wineman Thompson Scott Jacob Thompson Chris J. Thompson	901 Fairmont Street	Latrobe	PA	15650	
1695/658	Karl M. Ocepek and Marcy J. Hessinger	105 Noble Drive	Downingtown	PA	19335	
1695/658	Karl M. Ocepek and Marcy J. Hessinger	105 Noble Drive	Downingtown	PA	19335	
1487/760	Thomas A. and Sharon Lynn Harmon	338 Bower Hill Road	Venetia	PA	15367	
935/500	Joseph J. McAneny, Jr.	163 Gerry Lane	Johnstown	PA	15904	
726/604	Richard R. and Mary Lou Miller	4 Tropicana Drive	Punta Gorda	FL	33950	
1995/46	Paul Timothy and Sherry Lynne Parent	43674 Warbler Square	Leesburg	VA	20176	
2182/421	Brian J. Bottcher, Scott S. Bottcher, Jeffrey S. Bottcher	3103 Marsh Gate Drive	Johns Island	SC	29455	
1492/98	Cynthia B. Donnelly	1523 Red Coach Street SE	North Canton	OH	44720	
1374/936	Carol B. and Jay Davies	3103 Marsh Gate Drive	Johns Island	SC	29455	
1313/603	Peter R. and Kathryn M. Briden	2647 Black Oak Cove	Wexford	PA	15090	
2289/930	Lynn H. and Kathy E. Plesnick	1651 Peninsula Drive	Central City	PA	15926	
1100/39	Trevor W. and Judy Yardley	102 Omega Drive	Johnstown	PA	15904	
1100/39	Trevor W. and Judy Yardley	102 Omega Drive	Johnstown	PA	15904	
666/408	William L. Jr., and Helen B. Jacob	500 Chapel Harbor Drive	Pittsburgh	PA	15238	
607/229	Alvin C. and Dolores K. Couch	3830 US 30	Latrobe	PA	15650	
1282/399	Robert P. and Lois H. Campbell	1527 Peninsula Drive	Central City	PA	15926	
182/212	Michael A. and Jana L. Kiefer	2124 Dixon Road	Frederick	MD	21704	
103/238	Robert P. Jr. and Diane M. Miller	3188 River Valley Chase	West Friendship	MD	21794	
07/562	James and Betty J. Lyons	3912 Admiral Peary Highway	Ebensburg	PA	15931	
911/700	Sandra W. Upor	P.O. Box 15	Somerset	PA	15501	
1977/153	Terry B. and Todd B. Bingaman	37 Mt. Penn Road	Reading	PA	19607	
1916/1050	Ronald W. and Joyce M. Sevin Matthew A. and Linda Sevin	601 Camp Meeting Road	Sewickley	PA	15143	
1938/185	David A. Rohrich	2075 St. Andrews Drive	Presto	PA	15142	
2077/464	Shannon L. and Jill S. Vissman	1005 Breezewood Drive	Canonsburg	PA	15317	
1782/346	Edward J. McClain and Michele Lozito	281 Canterwood Lane	Wexford	PA	15090	
2141/1093	James A. and Linda DeBlasio	261 Glen Abbey Court	Presto	PA	15142	
1887/816	Brida Inc.	464 Lincoln Highway West	Jeannette	PA	15644	
1887/816	Brida Inc.	464 Lincoln Highway West	Jeannette	PA	15644	
886/167	Frank Duca, Jr.	1622 Menoher BLVD	Johnstown	PA	15905	
2293/463	Donald Clair, Jr.	720 Fairmont Street	Latrobe	PA	15650	
940/744	Joel R. and Norma J. Bowser	129 Brothers Lane	Johnstown	PA	15905	
1127/858	James H. Lyons, III	3912 Admerial Peary Highway	Ebensburg	PA	15931	
2218/425	Christine M. Scalise	421 Commonwealth Avenue	West Mifflin	PA	15122	
1253/344	Walter A. and Anna M. Kinash	704 Heinrich Street	Johnstown	PA	15904	
1438/770	Robert W. King, Esq. Trustee	114 North Maple Avenue	Greensburg	PA	15601	
1438/770	Robert W. King, Esq. Trustee	114 North Maple Avenue	Greensburg	PA	15601	
873/113	Donald L. McFarland	891 Peninsula Drive	Central City	PA	15926	
1431/658	Gary L. Williams Robert T. Williams Karen L. Phillips	258 Blackberry Hill Lane	Butler	PA	16002	
1826/940	Michael W. Sigmund Matthew E. Shaffer	118 Lovi Road	Baden	PA	15005	
02/511	Holman Family Trust	516 Peninsula Drive	Central City	PA	15926	
00/462	Lisa Kirkpatrick Swan	113 Point Circle Drive	Central City	PA	15926	
733/499	Jonnet Development Corporation	4099 William Penn Highway #905	Monroeville	PA	15146	

INDIAN LAKE FLOWAGE EASEMENTS

BCBRM 5/25/11  
5/9/2012

DBV/RBV	Name	Address	City	State	Zip	BCBRM Rec.
.842/738	Bernard Alferez	242 Heckwith Street	Gaithersburg	MD	20878	
1461/371	Hira Koul and Mary M. Salas	973 Sunnehanna Drive	Johnstown	PA	15905	
1947/261	John W. Sumrada	236 Hipp Street	Johnstown	PA	15902	
1217/896	Donald L. and Sara Jayne Kuhn	421 Springsdale Drive	Penn Hills	PA	15235	
1217/892	Donald L. and Sara Jayne Kuhn	421 Springsdale Drive	Penn Hills	PA	15235	
2272/270	Michael A. & Angela J. Merendino	549 North Main Street	Greensburg	PA	15601	
1788/583	Bear Development Company	2024 Woodstown Highway	Hollsopple	PA	15935	
1699/747	John S. and Kristin L. Arnold	1628 Blackburn Heights	Sewickley	PA	15143	
1840/697	Roy Eric and Brian E. Critchfield	200 North Street	Berlin	PA	15530	

INDIAN LAKE FLOWAGE EASEMENTS-PARK LOT OWNERS

BCBRM 6/15/11  
5/9/2012

Parcels (map #)	Park Name	DBV/RBV	Name	Address	City	State	Zip
15-005-00	4 (110 Algonquin)	1269/468	Matthew E. and Matthew G. Cayuela	110 Algonquin Path	Stoystown	PA	15563
16-209-00	3 (594 South Shore Trail)	1674/451	Robin Gump Trueax	69 Greenfield Drive	Carlisle	PA	17015
036-040-00		2258/94	William B. and Sherry E. Fortier	42743 Mirror Pond PL	Ashburn	VA	20148-6973
036-043-00	7 (119 Chickasaw)	1612/300	Gary P. and Shelly L. Bastin	1104 Chaucer Drive	Charleoi Greensburg	PA	15601
033-036-00	1 (340 South Shore Trail)	1449/20	James R. and Rexanne Schwadron & Michael J. and Nikki S. Finan	P.O. Box 212, 404 Beaver Street	Mars	PA	16046
040-004-00	4	1788/820	Frank Duca, Jr.	1622 Menoher Boulevard	Johnstown	PA	15905
040-004-01	6	1579/720	Frank Duca, Jr.	1622 Menoher Boulevard	Johnstown	PA	15905
035-011-00	4 (112 Comanchee)	2028/492	Peter M. and Janine V. Neilan	356 Hickory Hollow Road	Somerset	PA	15501
036-226-00	2	1732/127	Douglas I. and Deborah L. Miller	846 West Garrett Street	Somerset	PA	15501
036-226-01	3	1499/641	Robert P. Miller, Jr. and Diane M.	3188 River Valley Chase	West Friendship	MD	21794
040-092-00	7	928/129	Nicholas S. and Elsie Papasoff	15 East 10th Street, Apartment 3B	New York	NY	10003-5931
040-064-00	2	1405/1062	Terry D. and Karen A. Shober	1946 Peninsula Drive	Central City	PA	15926
036-029-00	2	1698/85	Daniel E. and Roslynn L. Kaltenbaugh	217 Hidden Ridges Way	Combined Locks	WI	54113-1300
036-031-00	3	1040/83	John and Barbara Opalenick	4111 Lott Drive	Murrysville	PA	15668
040-053-00	1 (277 Sioux)	1718/915	Scott W. Coy	235 Alpha Drive, Suite 30	Pittsburgh	PA	15238
040-050-00	6	638/92	Donald E. and Sylvia R. Mueseler	1123 Sunset Drive	Latrobe	PA	15650
040-056-00	7 (133 Ithaca)	1935/26	Bradley Michael and Martha Ann Corna	5035 Impala Drive	Murrysville	PA	15668
040-012-00	39	1232/802	Bonnie L. Marts and Lynne R. Costante	151 Marts Road	Friedens	PA	15541
040-159-00	40	2193/142	Leonard E. Dipaola, Jr.	431 Carson Street	Monongahala	PA	15063
040-157-00	41	2273/191	Charles III, & Elizabeth Wyandt	1180 Ridge Road	Hooversville	PA	15936
036-011-00	6 (118 Navajo)	1563/827	Lee W. Nearhoof ET AL	P.O. Box 147	Shanksville	PA	15560
1-106-00	13	718/759	Donald R. and Jean R. Opferman	76 Lintel Drive	McMurray	PA	15317
1-107-00	15 (108 Osage)	1851/798	Joseph and Kathleen Landy	108 Osage Path	Stoystown	PA	15563
1-083-00	22	1634/318	Logan A. and Connie F. Davis	203 Sunshine Avenue	Central City	PA	15926
040-084-00	23	974/741	George J. Corden ET AL C/O Dorothy H. Corden	546 Milow Kimmel Road	Friedens	PA	15541-9622
041-019-00	1 (479 Peninsula)	1952/390	David C. and Christine L. Erimias	135 Blaze Court	Wexford	PA	15090
041-022-00	6	1175/823	Louis R. and Susan W. Valeo	1269 Greystone Drive	Pittsburgh	PA	15241
041-016-00	7 (147 Cayuga)	1786/994	Donald D. Mateer, III	10 Glencove Road	Greensburg	PA	15601
040-058-00	14	1206/745	Vincent J. Quatrini, Jr. and Patricia C.	1401 Dellview Drive	Greensburg	PA	15601-3750
040-057-00	14A (224 Sioux)	654/56	John Klovanick	828 Forbes Road	Monroeville	PA	15146-4708
035-002-00	Lot 1C Algonquin	1391/11	Lyle R. & Joanne M. Plesnick	34 Wyncroft Drive	Meida	PA	19063
040-068-00	Lot 6 Niagra	1944/548	James T. & Karla E. Schwadron	318 Leslie Road	Valencia	PA	16059