

60 2010 00000425

Allegheny County
Valerie McDonald Roberts
Department of Real Estate
Pittsburgh, PA 15219

Instrument Number: 2010-425

BK-DE VL-14150 PG-584

Recorded On: January 07, 2010 As-Deed Agreement

Parties: R I D C SOUTHWESTERN PA GROWTH FD

To REGIONAL TRAIL CORP

of Pages: 4

Comment: AMEND EASE

***** THIS IS NOT A BILL *****

Deed Agreement 78.50
Pages > 4 0
Names > 4 0
Total: 78.50

Valerie McDonald Roberts, Manager - BLOCK AND LOT NUMBER


Date: / / - Int. By: AMEND EASEMENT

1-15-2010 1/7

I hereby certify that the within and foregoing was recorded in the Department of Real Estate in Allegheny County, PA

****DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT****

File Information:

Record and Return To:

Document Number: 2010-425
Receipt Number: 1498132
Recorded Date/Time: January 07, 2010 02:48:40P
Book-Vol/Pg: BK-DE VL-14150 PG-584
User / Station: T Smith - Cash Station 22

BABST CALLAND CLEMENTS & ZOMNIR P C
TWO GATEWAY CENTER 6TH FL
PITTSBURGH PA 15222





Valerie McDonald Roberts, Manager
Dan Onorato, County Executive

AMENDMENT TO TRAIL EASEMENT AGREEMENT

THIS AMENDMENT TO TRAIL EASEMENT AGREEMENT (this "Amendment") is made the 18th day of December, 2009 by and among RIDC SOUTHWESTERN PENNSYLVANIA GROWTH FUND, a Pennsylvania non-profit corporation (the "Growth Fund"), and REGIONAL TRAIL CORPORATION, a Pennsylvania non-profit corporation ("RTC").

WITNESSETH:

WHEREAS, the Growth Fund and RTC entered into that certain Trail Easement Agreement dated January 28, 2009 (the "Easement"), recorded in the Allegheny County, Pennsylvania Department of Real Estate office at Deed Book Volume 14040, Page 116, with respect to the construction, use and maintenance of a recreational trail easement over a portion of the following properties in the Fourth Ward of the City of McKeesport: Block and Lot Numbers 307-E-187, 307-A-25, 307-E-194 and 307-C-110; and

WHEREAS, RIDC and RTC desire to amend the Easement as hereinafter provided.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficient of which is hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

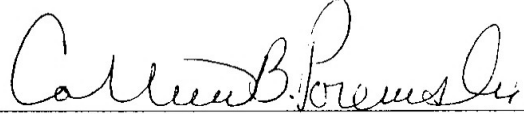
1. The first sentence of Section 2.02(b)(iv)(3) is amended to read as follows: "Fencing will be installed by December 31, 2009 on sections of trail opened by this date."

2. Notwithstanding the location of the Easement shown on Exhibit "A" of the Easement, the setback of the fence shall be thirty (30) inches from the trail in that portion of the Property beginning at the Roundhouse/UPMC McKeesport parking lot corner and ending at the Locust Street cul-de-sac.

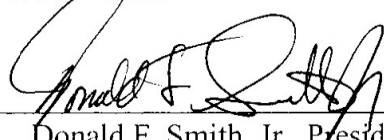
IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the day and year first above written.

ATTEST:

RIDC SOUTHWESTERN PENNSYLVANIA
GROWTH FUND



Colleen B. Poremski, Secretary

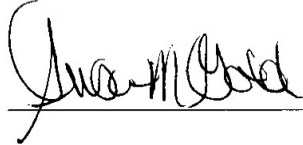
By: 

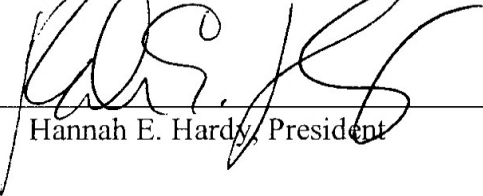
Donald F. Smith, Jr., President

(Corporate Seal)

ATTEST:

REGIONAL TRAIL CORPORATION



By: 

Hannah E. Hardy, President

(Corporate Seal)

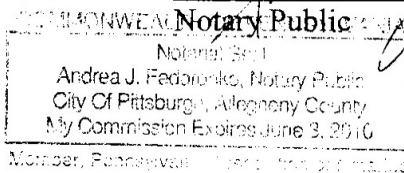
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

SS:

On this 23rd day of September, 2009, before me, the undersigned Notary Public, personally appeared Donald F. Smith, Jr., who acknowledged himself to be the President of RIDC Southwestern Pennsylvania Growth Fund, and that he, as such officer, being authorized to do so, executed the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

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

Andrea J. Fedoranko



My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

SS:

On this 18 day of December, 2009, before me, the undersigned Notary Public, personally appeared Hannah E. Hardy, who acknowledged herself to be the President of Regional Trail Corporation, and that she, as such officer, being authorized to do so, executed the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

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

Thomas J. Lennon

Notary Public

My Commission Expires:

5/4/2010

