

**NOTICE OF LAWSUIT
IN THE COURT OF
COMMON PLEAS OF
ALLEGHENY COUNTY,
PENNSYLVANIA
CIVIL DIVISION
No. GD 24-1015**

IN RE: CONDEMNATION BY THE PENNSYLVANIA TURNPIKE COMMISSION OF COAL AND MINERALS LOCATED IN THE BOROUGHS, TOWNSHIPS OR CITIES OF WEST MIFFLIN, JEFFERSON HILLS, DRAVOSBURG, DUQUESNE, NORTH VERSAILLES, PLEASANT HILLS, MCKEESPORT, MUNHALL, SOUTH PARK, CLARTON, ELIZABETH, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA FOR THE CONSTRUCTION OF THE MON-FAYETTE EXPRESSWAY, ROUTE 51 TO I-376 PROJECT

TO: CONDEMNED:
JOHN CREADY RISHER (Deceased), together with all known heirs,
LEVI RISHER (Deceased) together with known heirs,

MARTHA JOAN DAVIS-LAMB; DANIEL HARRISON RISHER, JR.; SARA RISHER; THE JOHN C. RISHER REVOCABLE TRUST in care of Alice Painter, Trustee; THE MARCIA JEAN DUNLEVY JONES LIVING TRUST, dated December 9, 2020 in care of Dr. Janet Jones-Oliveira, Trustee; MARY FRANCES SINDONI in care of her Power of Attorney, Armand Sindoni; HARVEY RISHER DUNLEVY; LEMURIAN FELLOWSHIP, known heir of RISHER A. DUNLEVY (Deceased); CRAFTON UNITED PRESBYTERIAN CHURCH, CRAWFORD HERITAGE COMMUNITY FOUNDATION, and MARGARET MORRISON CARNEGIE COLLEGE OF CARNEGIE MELLON UNIVERSITY, known heirs of PATRICIA ANN DOWNER (Deceased); JANE RISHER LUDDECKE; WILLIAM FREDERICK LUDDECKE, JR.; MADISON McCURDY MCKEE II; KATHRYN ANNE FINDLEY CARSON; ELIZABETH ANN KELLEY WONG; BRUCE CARSON; ROBERT CARSON; JILL CARSON PRICE; CRAIG T. CARSON; RICHARD D. CARSON; HELEN KAY HOAR; JANE KATE LEONARD; PAMELA ANN SPENCER; and all unknown heirs

AND
AGNES RISHER McClURE a/k/a AGNES McClURE RISHER a/k/a AGNES M. CRUMP (Deceased) together with all known heirs,

KELLY HAAS LEDERMAN; JULIE RODRIGUEZ; CAROLINE MCANDREW; JAMES F. HAAS, IV; MARGARET HAAS SMILLIE; MARY W. HAAS; RICHARD ANTHONY SPANO; LISA SPANO MAGEE; RICHARD ANTHONY SPANO, JR.; JEFFREY M. SPANO; JOSEPH EDWARD KENNEDY, JR.; KATHLEEN (SANTOSUSSO) STUTT; DEBORAH (SANTOSUSSO) FRANKAU; NANCY SENER; DEBRA LEE HOUSTON; EDITH (HOUSTON) ALDRIDGE; CAROLYN PATRICIA (DRISCOLL) LAWSON; ROBERT WILLIAM DRISCOLL, JR.; WILLIAM TAYLOR HOUSTON DRISCOLL; PAMELA D. CRUNK; DAVID C. DRISCOLL; JOHN C. DOVEY, III a/k/a JAY DOVEY; MARCUS BUGHMAN DOVEY; STEPHENIE BOYD; CATHERINE L. BUGHMAN; HELEN McCLENNAN a/k/a HELEN McCLENNAN; NICHOLAS NOYES; SANDRA LEE PATTERSON; JUDITH ANN JEFFERS; RIVES F. CARROLL; CAROL RAND; BARBARA HALLETT MILLER TRUST c/o PHYLLIS MILLER SYMONDS, TRUSTEE; VAN VELSO WOLF FOWLKES; PASCHAL DUPUY FOWLKES; DAVIS WILLIAMS FOWLKES; DUDLEY VAUGHN FOWLKES; PHYLLIS MILLER SYMONDS; RICHARD FRANK MERENDA; JASON WALSH; MARGARET "PEGGY" ALISON MILLER together with all unknown heirs

AND
SARAH CREADY RISHER a/k/a SARAH CREADY SNODGRASS (Deceased), together with her known heir WILLIAM J. SNODGRASS (deceased) and all unknown heirs WILLIAM J. SNODGRASS (deceased).

AND
JOHN McClURE RISHER (Deceased) together with known heirs,

CAROLYN LOUISE GARHART WHELAN a/k/a CAROLLYN GARHART WHELAN; NANCY ELIZABETH GOLDEN a/k/a NANCY E. GOLDEN f/k/a NANCY E. GARHART; NANCY MELOTH; NICHOLAS MELOTH; EMMA JEAN MELOTH; THOMAS DION MELOTH; DOUGLAS ALLEN MELOTH; BARBARA SHERWOOD; PHILLIP M. SHERWOOD; JAY CHRISTOPHER RISHER; SALLY A. RISHER; DAVID RISHER; MARLETTE SABIN CLARK McMANUS a/k/a MARLETTE SABIN CLARK; DECLARATION OF TRUST OF NATALIE GORE DATED APRIL 1, 2004 c/o WILLIAM D. GORE, TRUSTEE; including any unknown heirs as their interests may appear

AND
MIFFLIN COAL MINING COMPANY a/k/a Mifflin Coal Company of West Virginia a/k/a Mifflin Coal Mining Company of West Virginia, successor in title to Mifflin Coal Company, together with their successors and assigns, as their interest may appear.

AND
CONSOL PENNSYLVANIA COAL COMPANY, LLC, a Delaware Limited Liability Company registered as a Pennsylvania Qualified Foreign Corporation, successor by merger with CONSOL PENNSYLVANIA COAL COMPANY, a Delaware Company registered as a Pennsylvania Qualified Foreign Corporation, subsidiaries of CNX RESOURCES CORPORATION, a Delaware Company registered as a Pennsylvania Qualified Foreign Corporation formerly known as CONSOL ENERGY, INC., a Delaware Corporation registered as a Pennsylvania Qualified Foreign Corporation successor by merger with CONSOL, INC., a Delaware Corporation registered as a Pennsylvania Qualified Foreign Corporation, through a joint venture between El du PONT de NEMOURS & COMPANY, INC. and a subsidiary of RWE RHEINBRAUN A.G., through an acquisition by El du PONT de NEMOURS & COMPANY, INC. (DuPONT), a Delaware Corporation, registered as a Pennsylvania Qualified Foreign Corporation, by acquisition of CONTINENTAL OIL CO. (CONOCO), believed to be a Utah Corporation, registered as a Pennsylvania Qualified Foreign Corporation and by acquisition of CONSOLIDATION COAL COMPANY, formerly known as PITTSBURGH CONSOLIDATION COAL COMPANY successor by merger between CONSOLIDATION COAL COMPANY and PITTSBURGH COAL COMPANY, as their interests may appear, formerly known as with CONSOLIDATION COAL COMPANY, a West Virginia Company registered as a Pennsylvania Qualified Foreign Corporation, believed to be successor by merger with PITTSBURGH COAL COMPANY, a Pennsylvania Company, successor by merger with PITTSBURGH COAL LAND COMPANY, a Pennsylvania Corporation, successor by merger with THE MONONGAHELA CONSOLIDATED COAL & COKE COMPANY, as any or all of their interests may appear.

See Allegheny County, Department of Real Estate for right of way plans found in Plan Book Volume 192, Page 46 acquired by the Pennsylvania Turnpike Commission for the Mon-Fayette Expressway Route 51 to Davosburg Project. See also, Tax Parcel ID chart attached as Exhibit "B" to the Declaration of Taking. Said Condemnation seeks to condemn only a subsurface interest, limited to that coal, above Upper Freeport Seam, encountered which is necessary for the construction of the highway and not within jurisdiction of the Pennsylvania State Mining Commission.

NOTICE TO CONDEMNEDS
IN ACCORDANCE WITH SECTION 305 OF THE EMINENT DOMAIN CODE, CODIFIED AT 26 Pa.C.S. §305, THE PENNSYLVANIA TURNPIKE COMMISSION HEREBY GIVES NOTICE THAT:

1. The Pennsylvania Turnpike Commission filed a Declaration of Taking on January 25, 2024 in the Court of Common Pleas of Allegheny County, Pennsylvania at No. GD 24-1015. This was filed pursuant to the requirements of the Commonwealth of Pennsylvania Eminent Domain Code as amended by 2006, May 4, P.L. 112, No. 34, §1, effective in 120 days [Sept. 1, 2006].
2. The Condemnor is the Pennsylvania Turnpike Commission, an instrumentality of the Commonwealth of Pennsylvania. Its principal office is located at Exit 247 of the Pennsylvania Turnpike System in Lower Swatara Township, Dauphin County, Pennsylvania. Its post office address is P. O. Box 67676, Harrisburg, Pennsylvania, 17106-7676.
3. The Pennsylvania Turnpike Commission is authorized and empowered by Section 6 of Act of May 21, 1937, P.L. 774, No. 211, as amended, to acquire by condemnation any lands, rights, easements, franchises and other property deemed necessary or convenient for the construction or efficient operation of the Turnpike.
4. This Declaration of Taking was authorized by a Resolution adopted January 19, 2022, by said Condemnor. The record of the proceedings regarding this adoption may be examined at the Pennsylvania Turnpike's Central Office, located at Exit 247 of the Pennsylvania Turnpike.
5. The purpose of the condemnation is to acquire coal property interests for the construction of the Mon-Fayette Expressway, Route 51 and I-376 Project, and its requirements.
6. The coal property is located in the Boroughs, Townships or Cities of West Mifflin, Jefferson Hills, Dravosburg, Duquesne, North Versailles, Pleasant Hills, McKeesport, Munhall, South Park, Clairton, Elizabeth, County of Allegheny, Commonwealth of Pennsylvania. A plan of the property condemned sufficient for its identification has been filed with the Declaration, which was filed with the Department of Court Records of Allegheny County and with the Department of Real Estate of Allegheny County in accordance with Section 304 of the Eminent Domain Code of 2006.
7. The nature of the title hereby acquired is fee simple in all coal encountered during construction of the highway, within the boundaries of the Pennsylvania Turnpike Commission Right of Way Plans as set forth in the Allegheny County, Department of Real Estate in accordance with Section 304 of the Eminent Domain Code of 2006. Such coal interest is limited to that coal, above the Upper Freeport Seam, encountered, not within the jurisdiction of the Pennsylvania State Mining Commission and which is necessary for the construction of the highway.
8. A plan showing the property may be inspected at the office of at Goldberg, Karim & Garvin, LLP, 1806 Frick Building, 437 Grant Street, Pittsburgh, Pennsylvania 15219.
9. The Condemnor filed with the Declaration of Taking Open-End Bond without Surety pursuant to Section 303(a) of the Eminent Domain Code of 2006. Just compensation is made or secured by the filing of said Bond.
10. If you wish to challenge the power or right of the Condemnor, the Pennsylvania Turnpike Commission, to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Condemnor, or the Declaration of Taking, you are required to file preliminary objections with the Court of Common Pleas of Allegheny County, Pennsylvania, within thirty (30) days after publication of this Notice.

FOR THE PENNSYLVANIA TURNPIKE COMMISSION
Sara M. Karim, Esquire
Deborah R. Eibstein, Esquire
Goldberg, Karim & Garvin, LLP
1806 Frick Building, 437 Grant Street
Pittsburgh, PA 15219
Ph. (412) 281-1119