## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TRANSCONTINENTAL GAS PIPE : LINE CO., LLC, :

Plaintiff, :

v. : 3:15-CV-00151

(JUDGE MARIANI)

**TEMPORARY EASEMENTS FOR 0.13** 

ACRES AND A TEMPORARY

EASEMENT WITHIN THE EXISTING

RIGHT OF WAY FOR 0.18 ACRES IN TOBYHANNA TOWNSHIP, MONROE

COUNTY, PENNSYLVANIA, TAX : PARCEL NUMBER 19/119816, et al., :

Defendants.

<u>ORDER</u>

AND NOW, THIS \_\_\_\_\_ DAY OF OCTOBER, 2015, upon consideration of

Plaintiff's Partial Motion for Summary Judgment, IT IS HEREBY ORDERED THAT:

- 1. Such Motion (Doc. 7) is **GRANTED**.
- 2. Transcontinental Gas Pipe Line Company, LLC has the substantive right to condernn:
  - a. Temporary easements for 0.13 acres, as described as "Proposed Temporary Access Road" and "Proposed Temporary Work Space" in the acquisition drawing attached to the Verified Complaint as Exhibit A, for use during the pipeline construction and restoration period only for the purpose of ingress, egress and regress and to enter upon, clear off and use for construction and

- all activities required by the Order of the Federal Energy Commission dated December 18, 2014, 149 FERC 61,258; and
- b. Temporary easement within the existing right of way for 0.18 acres, described as "Area of Limits of Disturbance Within Existing Right to Way" in the acquisition drawing attached to the Verified Complaint as Exhibit A, for use during the pipeline construction and restoration period only for the purpose of ingress, egress and regress and to enter upon, clear off and use for construction and all activities required by the Order of the Federal Energy Regulatory Commission dated December 18, 2014, 149 FERC 61,258.
- 3. A compensation hearing SHALL BE CONDUCTED on Tuesday, December 1, 2015 at 1:30 p.m. at the William J. Nealon Federal Building and U.S. Courthouse, 235 N. Washington Ave., Scranton, Pennsylvania in a courtroom to be designated by the Clerk of Court. Parties can obtain information on courtroom assignments by contacting the Clerk of Court on the last business day of the week before the scheduled hearing. All parties with an interest in the above-captioned property are expected to attend the hearing and to present any relevant evidence as to the amount of compensation the landowners are owed for the condemnation of the easements.

4. It SHALL BE THE DUTY OF THE PLAINTIFF to ensure that notice of this Order and the accompanying Memorandum Opinion is promptly provided to any party with an interest in the property not known to be represented by counsel.

Robert D. Mariani

United States District Judge