

**BEFORE THE  
FEDERAL ELECTION COMMISSION**

**MUR 7961**

Marshall Cohen  
Democratic Governors Association  
1225 Eye St. NW, Suite 1100  
Washington, DC 20005

Complainant,

v.

Lou Barletta  
PO BOX 2485  
Springfield, VA 22152

Leaders Only Unite Political Action Committee (AKA LOU PAC)  
PO BOX 2485  
Springfield, VA 22152

Respondents.

**COMPLAINT**

This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) against former Representative and former Senate candidate Lou Barletta and Leaders Only Unite Political Action Committee (“LOU PAC” or the “Committee” and collectively, the “Respondents”).

According to public reporting and reports filed with the Federal Election Commission (the “Commission”), Representative Barletta and LOU PAC paid \$33,000 in rent to Representative Barletta’s wife for a property they jointly owned. Although the rent payments appear to cover a single location over a 21-month period, the amount of the monthly payments varied significantly over this time—a troubling sign indicating the Representative may have been either enriching himself by overpaying or illegally undercharging his committee. Either way, it appears Representative Barletta has violated the Federal Election Campaign Act of 1971, as amended (the “Act”), and Commission regulations through his self-dealing.

The prohibition on the personal use of campaign funds serves a vital public interest by ensuring our leaders do not benefit themselves financially through their campaigns.

Representative Barletta's cavalier approach to paying rent to himself and his family raises deeply troubling legal and ethical implications. The Commission should immediately investigate whether Representative Barletta and LOU PAC have violated the Act through their irregular and suspicious rental payments.

## FACTUAL BACKGROUND

### **a. Representative Barletta's Political Committees**

Former Congressman Lou Barletta served as a U.S. Representative from Pennsylvania from 2011 through 2019.<sup>1</sup> In 2018 he unsuccessfully sought election to the U.S. Senate and did not seek reelection to his House of Representatives seat.<sup>2</sup>

Representative Barletta has been associated with various committees registered with the Commission. Representative Barletta's authorized candidate committee was called Lou Barletta for Congress and then Lou Barletta for Senate, for his House and Senate campaigns respectively.<sup>3</sup> In addition, Representative Barletta established a leadership PAC in 2014 called Leaders Only Unite Political Action Committee (AKA LOU PAC).<sup>4</sup>

On February 28, 2019, LOU PAC converted from a leadership PAC to a multicandidate committee by submitting an amended Statement of Organization.<sup>5</sup> The prior day, Representative

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<sup>1</sup> Barletta, Lou, U.S. HOUSE OF REP., available at <https://history.house.gov/People/Detail/10432> (last visited Feb. 8, 2022).

<sup>2</sup> *Id.*

<sup>3</sup> Lou Barletta for Congress (C00445122), FED. ELEC. COMM'N, available at <https://docquery.fec.gov/pdf/954/28039631954/28039631954.pdf> (last visited Feb. 8, 2022); Lou Barletta for Senate (C00445122), FED. ELEC. COMM'N, available at <https://www.fec.gov/data/committee/C00445122/?cycle=2018> (last visited Feb. 8, 2022).

<sup>4</sup> FEC Form 1, FED. ELEC. COMM'N., <https://docquery.fec.gov/pdf/248/14031243248/14031243248.pdf> (last visited Feb. 8, 2022).

<sup>5</sup> FEC Form 1, FED. ELEC. COMM'N., <https://docquery.fec.gov/pdf/909/201902289145595909/201902289145595909.pdf> (last visited Feb. 8, 2022).

Barletta had converted his authorized committee to a nonconnected committee called Yankee PAC.<sup>6</sup> He then transferred the remaining funds from Yankee PAC to LOU PAC on February 28, 2019.<sup>7</sup> Following that transfer on February 28, 2019, LOU PAC did not receive any contributions until August 1, 2019.<sup>8</sup>

#### **b. LOU PAC's Payments to the Barlettas**

From February 2019 to October 2020, LOU PAC paid \$33,000 in rent, ostensibly to Representative Barletta's wife, Mary Grace Barletta.<sup>9</sup> According to news reports, these rent payments are likely for office space in Hazleton, Pennsylvania.<sup>10</sup> Representative Barletta and his wife jointly owned a property at 322 Rocky Road in Hazleton, Pennsylvania from at least 2011 through their sale of the property in November 2020.<sup>11</sup> It is reasonable to assume that the rent payments were for use of this property. According to an online listing, the property includes

<sup>6</sup> *FEC Form 1*, FED. ELEC. COMM'N., <https://docquery.fec.gov/pdf/541/201902279145592541/201902279145592541.pdf> (last visited Feb. 8, 2022).

<sup>7</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00445122](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00445122) (last visited Feb. 8, 2022).

<sup>8</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/receipts/?data\\_type=processed&committee\\_id=C00564369&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022&min\\_date=02%2F08%2F2019](https://www.fec.gov/data/receipts/?data_type=processed&committee_id=C00564369&two_year_transaction_period=2020&two_year_transaction_period=2022&min_date=02%2F08%2F2019) (last visited Feb. 8, 2022). LOU PAC did receive \$878.03 in income on June 17, 2019. *Schedule A*, FED. ELEC. COMM'N., <https://docquery.fec.gov/cgi-bin/fecimg/?201907319161264456> (last visited Feb. 8, 2022).

<sup>9</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00564369&recipient\\_name=Mary+Grace+Barletta](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00564369&recipient_name=Mary+Grace+Barletta) (last visited Feb. 8, 2022).

<sup>10</sup> Jonathan Tamari, Chris Brennan, and Sean Collins Walsh, *Lou Barletta, Out of Congress but Still Into Immigration Policy, Wants To Build That Wall*, THE PHILA. INQUIRER (Aug. 2, 2019), available at <https://www.inquirer.com/politics/clout/lou-barletta-president-donald-trump-border-wall-vice-president-joe-biden-detroit-debate-20190802.html>; Daniel Marans, *Pennsylvania Republican Lou Barletta's PAC Spent Most Of Its Money On Overhead*, HUFFPOST (Jan. 28, 2022), available at [https://www.huffpost.com/entry/lou-barletta-pac-wasted-money\\_n\\_61f2e84fe4b067cbfa1a3fe1?d\\_id=3098540&ncid\\_tag=tweetlnkushpmg00000016&utm\\_medium=Social&utm\\_source=Twitter&utm\\_campaign=us\\_politics](https://www.huffpost.com/entry/lou-barletta-pac-wasted-money_n_61f2e84fe4b067cbfa1a3fe1?d_id=3098540&ncid_tag=tweetlnkushpmg00000016&utm_medium=Social&utm_source=Twitter&utm_campaign=us_politics).

<sup>11</sup> See *Financial Disclosure Report*, Clerk of the House of Rep., available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2011/8201516.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2011/8201516.pdf) (last visited Feb. 8, 2022); Luzerne County Recorder of Deeds, Instrument Number 20205501 Book Number 3020 Page Number 231602, recorded 11/9/20 (stating "This Deed made the 4th day of November in the year Two Thousand and Twenty (2020) between Mary Grace Barletta and Louis Barletta, her husband, of 1529 Terrace Boulevard, City of Hazleton, Luzerne County, Pennsylvania, and SICR Rocky Road, LLC..." attached as Exhibit A.

functional garage space, professional office space on two levels, and a ground dock loading area.<sup>12</sup>

Although the reports indicate that the Committee paid rent to Mary Grace Barletta, Representative Barletta also derived income from the property at 322 Rocky Road. On Representative Barletta's Financial Disclosure Reports, he stated that he received between \$15,001 and \$50,000 in rental income from the property annually going back to at least 2011.<sup>13</sup>

The monthly amount that the Committee paid in rent varied significantly over the course of the 2020 election cycle. The Committee paid \$4,400 for the first month's rent, \$2,220 a month for the next six months, and then \$1,100 a month through the remainder of the 2020 election cycle.<sup>14</sup> The Committee has not explained these dramatic changes in rental costs over a short period of time.

In November 2020, Representative Barletta and Mary Grace Barletta sold the property at 322 Rocky Road for \$800,000.<sup>15</sup> According to property records from the Luzerne County Recorder of Deeds, the property was sold jointly by "Mary Grace Barletta and Louis Barletta, her husband."<sup>16</sup>

<sup>12</sup> 322 Rocky Rd Hazleton, PA 18201, LOOPNET, <https://www.loopnet.com/Listing/322-Rocky-Rd-Hazleton-PA/9082910/> (last visited Feb. 8, 2022).

<sup>13</sup> See *Financial Disclosure Report*, Clerk of the House of Rep., filed Jan. 24, 2019 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2019/10025047.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2019/10025047.pdf)); May 15, 2018 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2017/10020577.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2017/10020577.pdf)); May 5, 2017 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2016/10015197.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2016/10015197.pdf)); June 16, 2016 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2015/10013100.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2015/10013100.pdf)); July 30, 2015 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2014/10008206.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2014/10008206.pdf)); April 7, 2015 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2013/10005024.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2013/10005024.pdf)); July 3, 2013 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2013/9103181.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2013/9103181.pdf)); May 14, 2012 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2012/8205353.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2012/8205353.pdf)); May 13, 2011 (available at [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2011/8201516.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2011/8201516.pdf)).

<sup>14</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00564369&recipient\\_name=Mary+Grace+Barletta](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00564369&recipient_name=Mary+Grace+Barletta) (last visited Feb. 8, 2022); see also Daniel Marans, *Pennsylvania Republican Lou Barletta's PAC Spent Most Of Its Money On Overhead*, HUFFPOST (Jan. 28, 2022).

<sup>15</sup> See Exhibit A at 2.

<sup>16</sup> *Id.*



## LEGAL ANALYSIS

LOU PAC's payments to the Barlettas raise significant legal concerns. If these rental payments exceed the fair market value that a typical rental customer would pay, then they represent illegal "personal use" of campaign funds. If these varying payments are below fair market value, on the other hand, then they constitute an illegal excessive contribution to LOU PAC. Either way, Representative Barletta's funneling campaign funds to his own property likely violated federal election law.

### **a. Rent Payments Rep. Barletta Paid Himself or His Family Were Illegal if They Exceeded Fair Market Value**

Federal law makes it illegal for a candidate or former candidate to spend campaign contributions for their own "personal use."<sup>17</sup> Specifically, regulations prohibit a former candidate from using funds from their campaign account to pay themselves or their family members rent, if that rent "exceed[s] the fair market value of the property usage," because such payments are considered "personal use" of campaign funds.<sup>18</sup> To the extent LOU PAC's rent payments exceed fair market value, those payments constitute illegal "personal use."

The personal use prohibition applies to Representative Barletta and LOU PAC. The Act states that "any contribution *accepted by a candidate*" cannot be converted to the "personal use" of the candidate or any other person.<sup>19</sup> A leadership PAC is a committee established, financed, maintained or controlled *by a candidate*.<sup>20</sup> Therefore, contributions to leadership PACs are accepted by a candidate and subject to the personal use restriction.<sup>21</sup> LOU PAC was

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<sup>17</sup> 52 U.S.C. § 30114(b)(1).

<sup>18</sup> 11 C.F.R. 113.1(g)(1)(i)(E).

<sup>19</sup> 52 U.S.C. § 30114(a) (emphasis added); *id.* § 30114(b)(1).

<sup>20</sup> 52 U.S.C. § 30104(i)(8)(B); 11 C.F.R. § 100.5(e)(6).

<sup>21</sup> Although the Commission has debated this conclusion, a majority of four Commissioners has not ruled in a case with facts indistinguishable in all its material aspects to those in this complaint. *See e.g.* FEC Adv. Op. 2014-06 (Ryan) (The Commission could not agree with four affirmative votes on a draft opinion stating that personal use restrictions do not apply to leadership PACs).

Representative Barletta's leadership PAC until he changed the PAC's status on February 28, 2019 from a leadership PAC to a multicandidate PAC.<sup>22</sup> All contributions to LOU PAC received prior to February 28, 2019 were accepted "by a candidate" and therefore were prohibited from being spent for the candidate's personal use.

On February 27, 2019, Lou Barletta for Senate (Representative Barletta's authorized campaign committee) converted from an authorized campaign committee to a multicandidate PAC.<sup>23</sup> An authorized campaign committee for a former candidate may convert to a multicandidate PAC, but "the prohibition on converting campaign funds to personal use still applies to such a committee."<sup>24</sup> On February 28, 2019, LOU PAC received a contribution from Yankee PAC, which until the day before, had been Representative Barletta's authorized campaign committee.<sup>25</sup> Therefore, all money transferred from Yankee PAC to LOU PAC is also subject to the personal use restriction.

LOU PAC did not receive any contributions between February 28, 2019, and August 1, 2019.<sup>26</sup> The only funds LOU PAC received in that time were \$878.03 in income on June 17, 2019, from renting out its list of supporters.<sup>27</sup> Therefore, except for the \$878.03 in income, all funds in LOU PAC prior to August 1, 2019, were subject to the personal use restriction.

<sup>22</sup> *FEC Form 1*, FED. ELEC. COMM'N., <https://docquery.fec.gov/pdf/909/201902289145595909/201902289145595909.pdf> (last visited Feb 8, 2022).

<sup>23</sup> *FEC Form 1*, Fed. Elec. Comm'n, <https://docquery.fec.gov/pdf/541/201902279145592541/201902279145592541.pdf> (last visited Feb 8, 2022).

<sup>24</sup> Fed. Elec. Comm'n Campaign Guide, 138 (Oct. 2021), available at <https://www.fec.gov/resources/cms-content/documents/candgui.pdf>; FEC Adv. Ops. 2012-06 (RickPerry.org), 2004-03 (Dooley for the Valley), 1993-22 (Roe), 1985-30 (Holt).

<sup>25</sup> *Filings*, Fed. Elec. Comm'n, [https://www.fec.gov/data/filings/?data\\_type=processed&committee\\_id=C00445122&form\\_type=F1&form\\_type=RFAI](https://www.fec.gov/data/filings/?data_type=processed&committee_id=C00445122&form_type=F1&form_type=RFAI) (last visited Feb. 8, 2022).

<sup>26</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/receipts/?data\\_type=processed&committee\\_id=C00564369&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022&min\\_date=02%2F08%2F2019](https://www.fec.gov/data/receipts/?data_type=processed&committee_id=C00564369&two_year_transaction_period=2020&two_year_transaction_period=2022&min_date=02%2F08%2F2019) (last visited Feb. 8, 2022).

<sup>27</sup> *Schedule A*, FED. ELEC. COMM'N., <https://docquery.fec.gov/cgi-bin/fecimg/?201907319161264456> (last visited Feb. 8, 2022).

LOU PAC made several rent payments to Mary Grace Barletta between February 28, 2019, and August 1, 2019. Specifically, LOU PAC paid Mary Grace Barletta for rent on February 13, 2019; March 11, 2019; April 1, 2019; May 1, 2019; June 3, 2019; and July 1, 2019.<sup>28</sup> To the extent these payments exceeded fair market value, they constitute illegal personal use of campaign funds.

**b. Discounts on Rent Payments Constitute an Illegal Contribution**

Alternatively, LOU PAC's inconsistent rent payments may signal that the Barlettas were giving the Committee a sweetheart deal on rent. Charging less than the fair market value would constitute an excessive, illegal contribution to the Committee.

The provision of any goods or services, such as office space, at a charge that is less than the usual and normal charge is a contribution.<sup>29</sup> Commission regulations set the contribution limit to multicandidate committees at \$5,000 per calendar year.<sup>30</sup>

In February of 2019, the Committee recorded a rent payment to Mary Grace Barletta of \$4,400.<sup>31</sup> The next month, rent was \$2,200.<sup>32</sup> Six months after that, rent was \$1,100.<sup>33</sup> If these inconsistent payments were lower than what one would typically charge, they represent a contribution to the Committee. If \$4,400, or even the \$2,200, per month is the proper fair market value of the rental space, the Barletta's easily exceeded the \$5,000 contribution limit for calendar year 2020 during which the Committee paid just \$1,100 a month.

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<sup>28</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00564369&recipient\\_name=Mary+Grace+Barletta](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00564369&recipient_name=Mary+Grace+Barletta) (last visited Feb. 8, 2022).

<sup>29</sup> 11 C.F.R. § 100.52(d)(1); FEC Adv. Op. 2004-36 (Risley).

<sup>30</sup> 11 C.F.R. § 110.1(d).

<sup>31</sup> *Disbursements*, FED. ELEC. COMM'N., [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00564369&recipient\\_name=Mary+Grace+Barletta](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00564369&recipient_name=Mary+Grace+Barletta) (last visited Feb. 8, 2022).

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

**REQUESTED ACTION**


The Commission should immediately investigate whether Respondents did in fact violate the Federal Election Campaign Act, and if so, the extent to which Respondents illegally converted funds to personal use or received excess contributions. If a violation is found, we respectfully request the Commission enjoin Respondents from further violations and fine Respondents the maximum amount permitted by law.

Sincerely,



Marshall Cohen  
Democratic Governors Association  
1225 Eye St. NW, Suite 1100  
Washington, DC 20005

SUBSCRIBED AND SWORN to before me this 14<sup>th</sup> day of February, 2022.



Stephen J. Hill, Notary Public, District of Columbia  
Notary Public



My Commission Expires:

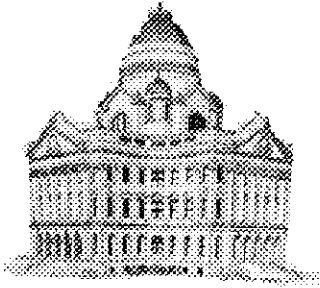
10/31/2022



# EXHIBIT

# A

**JOAN HOGGARTH**  
**LUZERNE COUNTY CLERK OF RECORDS**  
**DIVISION OF JUDICIAL SERVICES AND RECORDS**



**Recorder of Deeds Division**  
**Luzerne County Courthouse**  
**200 N. River Street**  
**Wilkes-Barre, PA 18711**  
**(570) 825-1641**

**\*RETURN DOCUMENT TO:**  
 BANKERS SETTLEMENT SERVICES-CAPITAL  
 REGION  
 6310 ALLENTOWN BOULEVARD&#10;SUIT  
 HARRISBURG, PA 17112

**Instrument Number - 202055051**

Recorded On 11/9/2020 At 10:12:31 AM

\* Instrument Type - DEED

Invoice Number - 1059983 User ID: BKC

**\*Total Pages - 8**

\* Grantor - BARLETTA, MARY GRACE BARLETTA, LOUIS

\* Grantee - SICR ROCKY ROAD, LLC

\* Customer - SIMPLIFILE LC E-RECORDING

**\* FEES**

PA WRIT TAX	\$0.50
PA REALTY TAX	\$8,000.00
JCS/ACCESS TO JUSTICE	\$40.25
COUNTY RECORDING FEE	\$19.00
COUNTY ARCHIVES FEE	\$2.00
RECORDER'S ARCHIVES FEE	\$3.00
HOUSING TRUST FUND	\$13.00
PIN CERTIFICATIONS	\$20.00
HAZLETON REALTY	\$4,000.00
HAZLETON CITY	\$4,000.00
TOTAL PAID	\$16,097.75

I hereby CERTIFY that this document is  
 Recorded in the Recorder of Deeds Office  
 of Luzerne County, Pennsylvania



*Joan Hoggarth*  
 Joan Hoggarth  
 Clerk of Records  
 Recorder of Deeds Division

PARCEL IDENTIFICATION NUMBER  
 U8-A-13A-T  
 Total Property Identification Numbers: 1

THIS IS A CERTIFICATION PAGE

**Do Not Detach**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

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



CERTIFIED PROPERTY IDENTIFICATION NUMBERS			
U8	-A	-13A	-T HAZLETON CITY
CERTIFIED 11/05/2020 BY RA			

PIN: 71-U8-00A-13A-000

# This Deed

**MADE** the 4<sup>th</sup> day of November in the year Two Thousand and Twenty (2020).

**BETWEEN**

**MARY GRACE BARLETTA and LOUIS BARLETTA**, her husband, of  
, Pennsylvania,

**GRANTORS**

**AND**

**SICR ROCKY ROAD , LLC**, a Pennsylvania Limited Liability Company having an initial registered office in the Commonwealth of Pennsylvania located at 129 Saint Charles Drive, Hazleton, Luzerne County, Pennsylvania; and a principle place of business located at 322 Rocky Road, Hazleton City, Luzerne County, Pennsylvania,

**GRANTEE**

**WITNESSETH**, That the said Grantors, for and in consideration of the sum of EIGHT HUNDRED THOUSAND ----- (\$800,000.00) -----DOLLARS in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, his heirs and assigns,

**ALL THOSE CERTAIN** pieces or parcels of land situate in City of Hazleton, County of Luzerne and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

**PARCEL A:**

**BEGINNING** at a point five hundred forty-six and seventy hundredths (546.70') feet east from the east right-of-way line of L.R. 1003 (Poplar Street) said point being common to the northeast corner of lands of Harry Swepston and being in the south line of lands now or formerly of Prestolite Division of Eltra Corporation;

**THENCE** from that point of beginning and along said south line of said Prestolite North eighty-seven degrees fifteen minutes East (N. 87° 15' E.) seven hundred thirty-three and thirty hundredths (733.30') feet to a point, said point being common to the southeast corner of said lands of Prestolite;

**THENCE** South two degrees forty-five minutes East (S. 02° 15' E.) three hundred forty (340') feet to a point, said point being in the north right of way line of the P.P. & L. Co;

**THENCE** along said north right-of-way line of P.P. & L. Co. South eighty-seven degrees fifteen minutes West (S. 87° 15' W.) seven hundred thirty-three and thirty hundredths (733.30') feet to a point, said point being common to the southeast corner of lands of Quality Beverage Distributors of Hazleton, Inc;

**THENCE** along the east line of said Quality Beverage through land of Masons' Enterprises, Inc. and along the east line of aforementioned lands now or formerly of Harry Swepston North two degrees forty-five minutes West (N. 02° 45' W.) three hundred forty (340') feet to a point, the place of BEGINNING.

**CONTAINING** 5.72 acres more or less of improved ground.

**EXCEPTING** there from 1 acre conveyed to Jude Lonzetta by the Grantors herein by Deed dated November 1, 1989 and recorded in the office of the Recorder of Deeds of Luzerne County in Deed Book 2343 at Page 1031; subject to the easement and right of way for access to Lonzetta's 1 acre.

**BEING** the remaining 4.72 acres of improved land from Parcel A of the Deed of conveyance to the Grantors herein dated April 7, 1988 and recorded in the office of the Recorder of Deeds in and for Luzerne County in Deed Book 2343 at Page 1016, said conveyance to the Grantee herein being subject to the terms and conditions of the Lonzetta easement and right of way has expressed in the description and map in Deed Book 2343 at Pages 1031 to 1036.

**PARCEL B:**

**BEGINNING** at a point, said point being common to the northwest corner of Quality Beverage Distributors, also on the east right of way line of Poplar Street;

**THENCE** along the north property line of said Quality Beverage Distributors north eighty-seven degrees fifteen minutes (N. 87° 15' E.) a distance of five hundred forty-six and seventy hundredths (546.70') feet more or less to a point, said point being common to the northeast corner of said Quality Beverage;

**THENCE** north two degrees forty-five minutes west ( N. 2° 45' W. ) a distance of forty (40') feet to a point, said point being common to south property line of said now or formerly Swepston Distribution Center;

**THENCE** south eight-seven degrees fifteen minutes West (S. 87° 15' W.) a distance of five hundred forty-six and seventy hundredths (546.70) feet more or less to a point, said point being common to the southwest corner of said Easter Seal Society, also the east right of way line of Poplar Street;

**THENCE** south two degrees forty-five minutes East (2° 45' E.) a distance of forty (40) feet to the place of BEGINNING.

**CONTAINING** .50 acres

**BEING** conveyed to the Grantee by this Deed is a portion of Parcel A and all of Parcel B of the Deed of conveyance to Grantors herein dated April 7, 1988 and recorded in the office of the Recorder of Deeds in Luzerne County in Deed Book 2343 at Page 1016.

This Deed conveys to the Grantee a total of 5.22 acres of improved ground subject to the aforescribed Lonzetta right of way and easement. A copy of the subdivision, easement and one acre conveyed to Lonzetta from Deed Book 2343, Page 1034 is attached hereto and made apart hereof as Exhibit A.

**UNDER AND SUBJECT** to all existing easements and rights of way in the chain of title.

**PIN #:** 71-U8-00A-13A-000

**THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHTS 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.

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

  
WITNESS

  
MARY GRACE BARLETTA (SEAL)

  
WITNESS

  
LOUIS BARLETTA (SEAL)

*Deed preparation only.*

*Deed Prepared By:*

*Falvello Law Firm, P.C.*

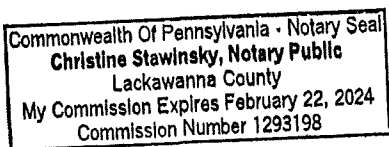
STATE OF PENNSYLVANIA :

: ss.

COUNTY OF LUZERNE :

On this 4 day of November, 2020, before me, the subscriber, a Notary Public in and for said State and County, personally appeared **MARY GRACE BARLETTA**, known to me (or satisfactorily proven) to be the people whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

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



*Christine Stawinsky*

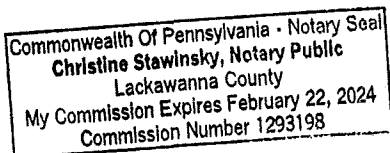
STATE OF PENNSYLVANIA :

: ss.

COUNTY OF LUZERNE :

On this 4 day of November, 2020, before me, the subscriber, a Notary Public in and for said State and County, personally appeared **LOUIS BARLETTA**, known to me (or satisfactorily proven) to be the people whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

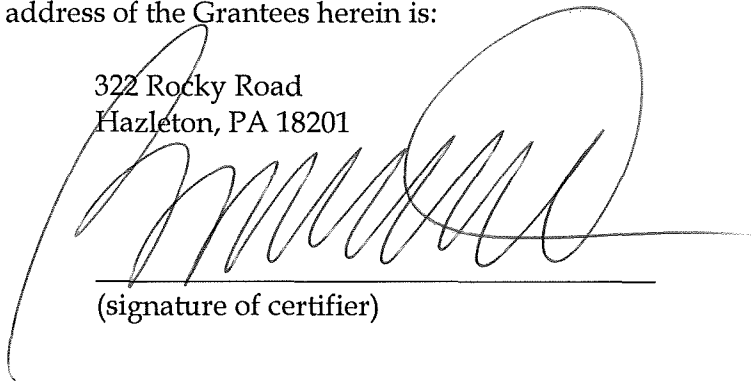
IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



*Christine Stawinsky*

**I HEREBY CERTIFY** that the precise address of the Grantees herein is:

322 Rocky Road  
Hazleton, PA 18201



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(signature of certifier)

COPY

