

*Cover page for:*

# **Preliminary Certificate of Title**

*Preliminary Certificate of Title prepared by:*

**Kincaid, Taylor & Geyer**

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## **Auction Tract 31** **(Noble County, Ohio)**

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*For October 30, 2019 auction to be conducted by:*

**Schrader Real Estate and Auction Company, Inc.**

*On behalf of:*

**CNX Land, LLC**

## CERTIFICATE OF TITLE

**TO: CNX LAND LLC**  
Attention: Angela Kunkel  
CNX Center, 1000 Consol Energy Drive  
Canonsburg, PA 15317

**RE: Marketing Tract #31**  
Stock Township, Noble County, Ohio

I hereby certify that I have made a thorough examination of the records of Noble County, Ohio, as disclosed by the public indices covering a period not less than forty (40) years and in accordance with the Ohio Marketable Title Act in regard to title to the real estate described at Exhibit "A" attached hereto.

Unless otherwise specifically stated herein, this Certificate does not purport to cover matters not of record in said County, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file Mechanics' Liens, special taxes and assessments not shown by the Noble County Treasurer's records, zoning and other governmental regulations, or liens asserted by the United States or State of Ohio, their agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organizations Acts and Receivership Liens unless the lien is filed in the public records of the county in which the property is located.

I further certify that, in my opinion based upon said records, the fee simple record title, excepting all minerals, oil and gas interests, coal, coalbed methane or its constituents, limestone, sand, clay, gravel or any other mineral interests together with mining rights or rights to remove said minerals or oil and gas, is vested in:

KINCAID, TAYLOR  
& GEYER  
ATTORNEYS AT LAW

50 NORTH FOURTH STREET  
P.O. BOX 1030  
ZANESVILLE, OHIO 43702-1030  
(740) 454-2591  
FAX (740) 454-6975

**CNX LAND LLC**

who acquired title by virtue of a Quit Claim Deed, Assignment and Bill of Sale dated October 6, 2017 and recorded July 12, 2018 at Noble County Official Record Volume 313, Page 336, and that as appears from said County records, the title is marketable and free from encumbrances except and subject to the matters set forth herein:

**TAX INFORMATION:**

The premises stand charged for taxation on the Noble County Auditor's Duplicate in the name CNX Land LLC, c/o CNX Resources, Property Tax, 1000 Consol Energy Drive, Canonsburg, PA 15317 as follows:

Parcel #34-0021333.000 (69.864 acres – Section 26 – Stock Township)

Valuation:	Land	28670	½ year tax: \$482.62
	Buildings	4270	
	Total	32940	

Taxes for the year 2018 have been paid. Taxes for the year 2019 are not yet due and payable but are a lien on said premises by operation of statute.

**MORTGAGES:**

None.

**EASEMENTS AND RIGHTS OF WAY:**

1. The premises are subject to a right to lay a pipeline from Consolidation Coal Company to Hopewell Oil & Gas Development Company dated June 12, 1981 and recorded July 20, 1981 at Noble County Deed Record Volume 152, Page 751.
2. The premises are subject to a Master Pipeline Right of Way Agreement from Reserve Coal Properties Company to CNX Gas Company LLC dated January 28, 2009 and recorded February 23, 2009 at Noble County Official Record Volume 163, Page 240.

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3. The premises are subject to a Memorandum of Right of Way Option Agreement for construction and installation of pipe lines from CNX RCPC, LLC to Ohio Gathering Company, LLC dated December 4, 2014 and recorded December 5, 2014 at Noble County Official Record Volume 258, Page 316.

4. The premises are subject to a Master Cooperation Agreement between Consol Mining Corporation, CNX Resource Holdings LLC and CNX Gas Company LLC dated October 20, 2017 and recorded July 12, 2018 at Noble County Official Record Volume 313, Page 1064.

5. The premises are subject to a Memorandum of Surface Use Agreement for mining operations of the #9 coal from CNX RCPC, LLC and Consol Mining Company LLC to B & N Coal, Inc. dated August 13, 2015 and recorded December 7, 2015 at Noble County Official Record Volume 275, Page 220.

**UNRELEASED OIL AND GAS LEASE:**

The premises are subject to an oil and gas lease from Consolidation Coal Company to Republic Steel Corporation dated June 27, 1977 and recorded August 24, 1977 in Noble County Lease Volume 80, Page 893. Said lease covers 13,800 acres and is for a primary term of 50 years and as long thereafter as oil or gas is produced in paying quantities. Said lease is subject to numerous assignments, etc.

**LIENS:**

No liens of record.

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I am an attorney qualified to practice in the State of Ohio and I certify that, as of 8:00 a.m. on the date of this Certificate, CNX Land LLC's, interest in and to real estate described at Exhibit "A" is free and clear of liens and encumbrances of record except as noted.

This Certificate of Title is made solely for the benefit of and at the instance of CNX, 1000 Consol Energy Drive, Canonsburg, PA 15317.

Dated at the City of Zanesville, Ohio, this 17<sup>th</sup> Day of September, 2019.

KINCAID, TAYLOR & GEYER

By  /rh  
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 31

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Exhibit "A"

That certain tract of land situated in the Township of Stock, County of Noble, and State of Ohio, being described as follows:

Situated in the State of Ohio, Noble County, Stock Township, being a part of the Northeast Quarter of Section 26, Township 6, Range 7 of the Old Seven Ranges and being a tract of land in the name of Dorothy Davis as recorded in Volume 142, Page 354 of Noble County Deed Records and being more fully bounded and described as follows:

Commencing at a stone (found) at the northwest corner of the Southwest Quarter of the Northeast Quarter of Section 26, said stone being the place of beginning of the tract of land to be hereinafter described; then South  $87^{\circ} 16' 12''$  East a distance of 1,298.03 feet to a point in the center of County Road No. 45 and passing through an iron pin (set) at a distance of 1,253.31 feet; then with the centerline of said County Road No. 45, the following four courses and distances: North  $11^{\circ} 06' 04''$  East for 441.77 feet to a point; then North  $32^{\circ} 47' 33''$  East for 77.55 feet to a point; then North  $67^{\circ} 45' 41''$  East for 85.75 feet to a point; then North  $88^{\circ} 03' 43''$  East for 227.60 feet to an iron pin (set) at the intersection of County Road No. 45 and County Road No. 3; then leaving the centerline of said County Road No. 45 and with the centerline of said County Road No. 3, the following three courses and distances: North  $28^{\circ} 55' 12''$  West for 99.67 feet to a point; then North  $17^{\circ} 10' 29''$  West for 482.91 feet to a point; then North  $24^{\circ} 29' 48''$  West for 390.20 feet to a point; then leaving the centerline of said County Road No. 3, South  $84^{\circ} 28' 6''$  East a distance of 622.46 feet to an iron pin (set), and passing through an iron pin (set) at a distance of 30.00 feet; then South  $00^{\circ} 10' 15''$  West a distance of 2,717.76 feet to an iron pin (set); then North  $88^{\circ} 53' 51''$  West a distance of 683.46 feet to an iron pin (set); then North  $04^{\circ} 48' 01''$  East a distance of 256.81 feet to a stone found; then North  $88^{\circ} 45' 00''$  West a distance of 1844.80 feet to an iron pin set; then north  $11^{\circ} 20' 46''$  East a distance of 1,098.32 feet to the place of beginning of the tract of land herein described.

The tract herein described contains a total of 69.864 acres, more or less.

As being described in Deed Record 147, Page 861

Being known as parcel number: 34-0021333.000

Assessed acreage-69.864

Agreement Number-218900000