

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tract 33 **(Noble County, Ohio)**

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 #33
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 #34-0021348.000 (9.6 acres – Section 32 – Stock Township)

Valuation:	Land	3530	½ year tax: \$51.72
	Buildings	0	
	Total	3530	

Parcel #34-0021349.000 (30.33 acres – Section 32 – Stock Township)

Valuation:	Land	11150	½ year tax: \$163.37
	Buildings	0	
	Total	11150	

Parcel #34-0021350.000 (13 acres – Section 32 – Stock Township)

Valuation:	Land	4780	½ year tax: \$70.04
	Buildings	0	
	Total	4780	

Parcel #34-0021368.000 (17.5 acres – Section 33 – Stock Township)

Valuation:	Land	6430	½ year tax: \$94.21
	Buildings	0	
	Total	6430	

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

TAX INFORMATION – Continued:

Parcel #34-0021369.000 (33.98 acres – Section 33 – Stock Township)

Valuation:	Land	12270	½ year tax: \$179.77
	Buildings	0	
	Total	12270	

Parcel #34-0021370.000 (95.61 acres – Section 32 – Stock Township)

Valuation:	Land	34990	½ year tax: \$512.66
	Buildings	0	
	Total	34990	

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 Meter Site Agreement and pipeline right of way from DuPont Energy Coal Holdings, Inc. to Deer Creek, Inc. dated October 12, 1990 and recorded November 22, 1991 at Noble County Deed Record Volume 172, Page 162.
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.
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 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.

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

5. 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.

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:

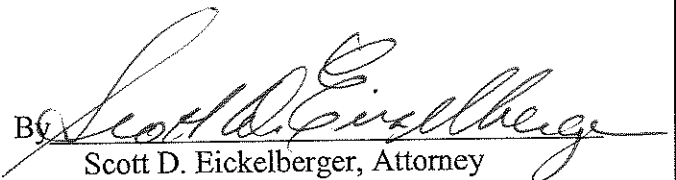
No liens of record.

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 15th day of September, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 33

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

Exhibit "A"

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

Known as and being the southeast quarter of the northeast quarter of Section 32, Township 6 and Range 7, containing 33 acres, more or less, BUT EXCEPTING THEREFROM, 20 acres off of the west side thereof running the full length of said quarter and being the lands conveyed by Joseph Wilson, et ux. To Alfred Farley by deed recorded in volume 10, Page 613 of the Deed Records of Noble County, Ohio.

FURTHER EXCEPTING from Tracts Nos. 2 and 3 above the following tract of land conveyed by R. O. Warfield, et ux. To Miles Mallet by deed recorded in volume 80, page 3 of said Deed Records and described as follows: Being a part of the northwest quarter of Section 26, and a part of the northeast quarter of Section 32, Township 6 and Range 7, beginning for the same at the southeast corner of the southwest quarter of the northwest quarter of said Section 26, thence north 732 feet to the center of the road; thence north 84 ½ degrees west 600 feet; thence south 72 degrees west 63 ½ feet; thence south 81 degrees west 251 feet; thence south 69 ½ degrees west 480 feet; thence south 70 degrees west 525 feet to the line of lands formerly belonging to Wesley Murray; thence south 212 feet to the quarter section line; thence east to the place of beginning, containing 23.87 acres, more or less, 20.47 acres being in Section 26 and 3.40 acres in Section 32.

Leaving in said tract after said exception 9.60 acres, more or less.

As being described in Deed Record 105, Page 379

Being known as parcel number: 34-0021348.000

Assessed acreage-9.60

Agreement Number-218900000

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

Being a part of Section 32, Township 6 and Range 7, further described as:

Beginning at the Northeast corner of the tract herein described, said corner being located South four degrees fifty-nine minutes West (S. 4° 59' W.) thirteen hundred thirty seven and 76/100 (1337.76) feet and North eighty-five degrees fifteen minutes West (N. 85° 15' W.) four hundred fifty and 75/100 (450.75) feet from the Northeast corner of said Section No. 32; thence with a line of lands now or formerly belonging to R. O. Warfield, South five degrees thirty-one minutes West (S. 5° 31' W.) thirteen hundred twenty and 54/100 (1320.54) feet; thence with a line of lands now or formerly belonging to Miles Mallet and to Tract No. 2 hereinafter described, North eighty-five degrees twenty-nine minutes West (N. 85° 29' W.) twelve hundred twenty five and 20/100 (1225.20) feet to a stone corner to lands now or formerly belonging to William Craig, thence with three (3) of said Craig's lines, North five degrees fifty-four minutes East (N. 5° 54' E.) five hundred twenty-two and 73/100 (522.73) feet; thence North forty-eight degrees fourteen minutes East (N. 48° 14' E.) eight hundred five and 76/100 (805.76) feet; thence North nine degrees thirty-two minutes East (N. 9° 32' E.) two hundred nineteen and 52/100 (219.52) feet to a point in line of lands now or formerly belonging to Wilbert G. Kinnen; thence with said Kinnen, South eighty-five degrees twelve minutes East (S. 85° 12' E.) six hundred fifty-nine and 41/100 (659.41) feet to the place of beginning, containing thirty and 68/100 (30.68) acres, more or less.

Excepting, however, from the above described Tract No. 1 the following: Beginning at the Southeast corner of Tract No. 1, corner to lands of Miles Mallet thence North eighty-five degrees twenty-nine minutes West (N. 85° 29' W.) two hundred thirty-eight and no/100 (238.00) feet to a point in Wilson's run, thence up Wilson's run with its meanders, North seventy-one degrees eight minutes East (N. 71° 08' E.) one hundred sixty-two and 88/100 (162.88) feet; thence North forty-six degrees thirty-five minutes East (N. 46° 35' E.) one hundred thirty-six and 40/100 (136.40) feet to a point in line of R. O. Warfield, thence with said Warfield, South five degrees thirty one minutes West (S. 5° 31' W.) one hundred sixty-six and no/100 (166.00) feet to the place of beginning, containing 35/100 (0.35) acres, more or less, and leaving in said First Tract thirty and 33/100 (30.33) acres, more or less, subject to all legal highways.

Leaving in said tract after deducting said exception, 30.33 acres, more or less.

As being described in Deed Record 105, Page 129

Being known as parcel number: 34-0021349,000

Assessed acreage-30.33

Agreement Number-218900000

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

Beginning at a stake on the South line of Tract No. 1, said stake being located in Wilson run and situate, South four degrees fifty-nine minutes West (S. 4° 59' W.) thirteen hundred thirty-seven and 76/100 (1337.76) feet; North eighty-five degrees fifteen minutes West (N. 85° 15' W.) four hundred fifty and 75/100 (450.75) feet; thence South five degrees thirty-one minutes West (S. 5° 31' W.) thirteen hundred twenty and 54/100 (1320.54) feet and North eighty-five degrees twenty-nine minutes West (N. 85° 29' W.) two hundred thirty-eight and no/100 (238.00) feet from the Northeast corner of said Section No. 32, thence with the down stream meanderings of Wilson's run and lines of Miles Mallet the following eleven (11) courses and distances, South fifty-five degrees fifty-eight minutes West (S. 55° 58' W.) two hundred thirty-two and 77/100 (232.77) feet; South eighty-one degrees thirty-nine minutes West (S. 81° 39' W.) two hundred fifty-four and 65/100 (254.65) feet; south eighty degrees fourteen minutes West (S. 80° 14' W.) ninety-four and 37/100 (94.37) feet; South fifty-nine degrees forty-three minutes West (S. 59° 43' W.) two hundred seventy-five and 62/100 (275.62) feet, North eighty-two degrees fifty-eight minutes West (N. 82° 58' W.) one hundred forty-seven and 11/100 (147.11) feet, South seventy degrees thirty-two minutes West (S. 70° 32' W.) one hundred fifty-nine and 9/100 (149.09) feet; North eighty-six degrees fifty-eight minutes West (N. 86° 58' W.) one hundred fifty-one and 21/100 (151.21) feet; South forty-seven degrees twenty-two minutes West (S. 47° 22' W.) one hundred nineteen and 60/100 (119.60) feet; South eighty degrees forty-five minutes West (S. 80° 45' W.) eighty-seven and 13/100 (87.13) feet and South fifty-three degrees forty-five minutes West (S. 53° 45' W.) ninety-three and 53/100 (93.53) feet to a point in line of lands now or formerly belonging to William Craig, thence leaving the run, with a line of said Craig, North four degrees forty-seven minutes East (N. 4° 47' E.) seven hundred thirteen and 46/100 (713.46) feet to a stone; thence with a line of said Craig and of Tract No. 1, above described, South eighty-five degrees twenty-nine minutes East (S. 85° 29' E.) fifteen hundred thirty-seven and 55/100 (1537.55) feet to the place of beginning, containing twelve and 58/100 (12.58) acres, more or less, subject to all legal highways.

As being described in Deed Record 105, Page 129

Being known as parcel number: 34-0021350.000

Assessed acreage-13.00

Agreement Number-218900000

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

Being a part of the Southeast Quarter of Section 33, Township 6, Range 7, and bounded as follows: Commencing at the southeast corner of said Section 33, thence run north $85\text{-}1/4^\circ$ west 850 feet along section line; thence north $18\text{-}1/2^\circ$ west 514-1/2 feet, thence north $65\text{-}1/4^\circ$ east 1213 feet to the section line, thence south $4\text{-}3/4^\circ$ west 1062-1/2 feet to the place of beginning, containing 17.50 acres, more or less.

As being described in Deed Record 104, Page 235

Being known as parcel number: 34-0021368.000

Assessed acreage-17.50

Agreement Number-218900000

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

Situated in Section 33, Township 6 and Range 7 and beginning at a stake on the South line of said Section, said stake being a corner to lands now or formerly belonging to Lena Kinnen and being located South eighty-nine degrees fifty-five minutes West (S. $89^\circ 55'$ W.) eight hundred forty-five and $89/100$ (845.89) feet from the Southeast corner of said Section; thence with two (2) lines of said Kinnen, North twenty-three degrees eight minutes West (N. $23^\circ 8'$ W) five hundred fourteen and $10/100$ (514.10) feet; thence North thirty-eight degrees fifty-four minutes West (N. $38^\circ 54'$ W.) eight hundred forty-four and $65/100$ (844.65) feet to a large Sycamore tree corner to lands now or formerly belonging to Earl Johnson, thence with eleven (11) line of said Johnson and of lands now or formerly belonging to Argyll Leasure, South sixty-four degrees two minutes West (S. $64^\circ 2'$ W.) two hundred sixty-seven and $92/100$ (267.92) feet to a large Walnut; thence South fifty-nine degrees fifty minutes West (S. $59^\circ 50'$ W.) three hundred twenty-one and $57/100$ (321.57) feet an Elm tree; thence South thirty-nine degrees thirty-five minutes West (S. $39^\circ 35'$ W.) ninety-seven and $39/100$ (97.39) feet; thence South eighteen degree eight minutes East (S. $18^\circ 8'$ E.) ninety-three and $55/100$ (93.55) feet; thence South forty-seven degrees twelve minutes West (S. $47^\circ 12'$ W.) one hundred fifty-nine and $79/100$ (159.79) feet to a Maple; thence South fifty-two degrees thirteen minutes West (S. $52^\circ 13'$ W.) one

hundred seventy and $41/400$ (170.41) feet to a triple Poplar; thence South seventy-two degrees twelve minutes West (S. $72^{\circ} 12'$ W.) two hundred thirty-three and $80/100$ feet; thence South eighty-two degrees forty-nine minutes west (S. $82^{\circ} 49'$ W.) one hundred twelve and $11/100$ (112.11) feet; thence South sixty-seven degrees forty-eight minutes west (S. $67^{\circ} 48'$ W.) three hundred forty-three and $62/100$ (343.62) feet; thence South seventy-four degrees thirty-seven minutes West (S. $74^{\circ} 37'$ W.) three hundred sixteen and $78/100$ (316.78) feet to a large Maple; thence South no degrees seventeen minutes West (S. $0^{\circ} 17'$ W.) one hundred seventy-eight and $78/100$ (178.78) feet to a point on the South line of said Section 33; thence with the Section line and a line of Tract No. 2 hereinabove described, North eighty-nine degrees fifty-five minutes East (N. $89^{\circ} 55'$ E.) twenty-four hundred ninety-four and $46/100$ (2494.46) feet to the place of beginning, containing thirty-three and $98/100$ (33.98) acres, more or less.

As being described in Deed Record 104, Page 490.

Being known as parcel number: 34-0021369.000

Assessed acreage-33.98

Agreement Number-218900000

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

Situated in Section 32, Township 6, and Range 7, and beginning at a stone marking the Northeast corner of said Section, said stone being a common starting point for Tracts No. 1 and No. 2, thence following the North line of Section No. 32, South eighty-nine degrees fifty-five minutes West (S. 89° 55' W.) thirty-three hundred forty and 35/100 (3340.35) feet to a stake, from which the Northwest corner of said Section 32 bears South eighty-nine degrees fifty-five minutes West (S. 89° 55' W.) eleven hundred seventeen and 12/100 (1117.12) feet, said stake being a corner to lands now or formerly belonging to Frank Schwallie, thence with three (3) lines of said Schwallie, South no degrees seventeen minutes West (S. 0° 17' W.) four hundred five and 99/100 (405.99) feet to a marked stone; thence South eighty-nine degrees forty-two minutes East (S. 89° 42' E. five hundred fifteen and 14/100 (515.14) feet to a marked stone; thence South twenty degrees forty-four minutes East (S. 20° 44' E.) twelve hundred sixty-five and 62/100 (1265.62) feet to a marked stone, corner to lands now or formerly belonging to William Craig, thence with said Craig and with a line of lands now or formerly belonging to William Murrey, South eighty-nine degrees fifty-five minutes East (S. 89° 55' E.) twelve hundred forty-eight and 20/100 (1248.20) feet to a point in a stream, thence with a second line of said Murrey, North four degrees fourteen minutes East (N. 4° 14' E.) two hundred sixty-four and 2/100 (264.02) feet to a marked stone, thence with a line of said Murrey and of lands now or formerly belonging to R.O. Warfield, South eighty-nine degrees fifty-five minutes East (S. 89° 55' E.) eleven hundred thirteen and 27/100 (1113.27) feet to a marked stone on the East line of Section 32; thence with the Section line, North no degrees four minutes West (N. 0° 4' W.) thirteen and 61/100 (95.61) acres, more or less.

As being described in Deed Record 104, Page 490

Being known as parcel number: 34-0021370.000

Assessed acreage-95.61

Agreement Number-218900000