

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tract 61
(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 #61
Seneca 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 #31-0021093.000 (65.12 acres – Section 36 – Seneca Township)

Valuation:	Land	26380	½ year tax: \$386.50
	Buildings	0	
	Total	26380	

Parcel #31-0021098.000 (11.08 acres – Section 25 – Seneca Township)

Valuation:	Land	4660	½ year tax: \$68.27
	Buildings	0	
	Total	4660	

Parcel #31-0021310.000 (24.25 acres – Section 25 – Seneca Township)

Valuation:	Land	10190	½ year tax: \$149.30
	Buildings	0	
	Total	10190	

Parcel #31-0021311.000 (22.20 acres – Section 25 – Seneca Township)

Valuation:	Land	9320	½ year tax: \$136.56
	Buildings	0	
	Total	9320	

Examiner's Note: The description for Parcel #31-0021098.000 was split into three tracts, 11.08 acres, 24.25 acres, and 22.20 acres. According to the Noble County Auditor's Office, the

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TAX INFORMATION – Continued:

acreage for Parcel #31-0021098.000 is 11.08. The 24.25 acre tract is now described as Parcel #31-0021310.000. The 22.20 acre tract is now described as Parcel #31-0021311.000.

Parcel #31-0021099.000 (15.31 acres – Section 25 – Seneca Township)

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

Parcel #31-0021112.000 (83.29 acres – Section 25 – Seneca Township)

Valuation:	Land	34980	½ year tax: \$512.50
	Buildings	0	
	Total	34980	

Parcel #31-0021309.000 (8.74 acres – Section 25 – Seneca Township)

Valuation:	Land	3670	½ year tax: \$53.77
	Buildings	0	
	Total	3670	

Examiner's Note: The description for Parcel #31-0021112.000 was split into two tracts, 83.29 acres and 8.74 acres. According to the Noble County Auditor's Office, the acreage for Parcel #31-0021112.000 is 83.29. The 8.74 acre tract is now described as Parcel #31-0021309.000.

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.

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EASEMENTS AND RIGHTS OF WAY:

1. 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.
2. 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.
3. 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.
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.

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 5th day of September, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 61

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Exhibit "A"

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

Being a part of the Northeast quarter of Section 36, Township 8, Range 8, in Seneca Township, Noble County, Ohio. Beginning at a stone in the East line of Section 36, which stone is the Southeast corner of this tract and said stone is south 5°-15' West with the North line of the Johnson tract for 2428.30 feet to a stone corner; thence North 0°-15' West with East line of the Johnson tract 1326.72 feet to the North line of said Section 36; thence South 83°-52' East with said section line and South line of Tract No. 2, 1733.99 feet; thence with five lines of the Leo Hullman tract, South 65°-42' West 147.52 feet, South 20°-23' East 56.51 feet, South 55°-05' East 741.41 feet, South 22°-19' East 484.94 feet and South 3°-16' East 384.30 feet to the beginning, containing 65.12 acres, more or less, subject to all legal highways.

As being described in Deed Record 106, Page 283 (Tract 1).

Being known as parcel number: 31-0021093.000

Assessed acreage-65.12 (62.8)

Agreement Number-218900000

Beginning for the same at the Southwest corner of said quarter-quarter; thence S. 85-1/4°E. along Section line, 47.96 rods to an elm tree; thence N. 21-3/4° W. 57.68 rods to the center of road leading from Glady Church to Mt. Ephraim, Noble County, Ohio; thence, along said road, S. 71 1/4° W. 11.20 rods, N. 67-3/4°W 7.36 rods, N. 34-1/4° W. 8.20 rods to the quarter-quarter section line; thence, along said line, S. 3-3/4° W. 55.76 rods to the place of beginning containing Eleven and eight hundredths (11.08) acres, more or less.

As being described in Deed Record 105, Page 90 (Tract 1)

Being known as parcel number: 31-0021098.000

Assessed acreage- 11.08

Agreement Number-218900000

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

A part of the Southwest Quarter of Section Twenty-Five (25), Township Eight (8) of Range eight (8). Commencing at the southwest corner of said section; thence North 46.00 rods; thence S. 71° E. 10.00 rods; thence N. 64-1/4° E. 9.20 rods; thence S. 67-1/2° E. 14.60 rods; thence N. 65-3.4° E. 10.00 rods; thence N. 52-1/2° E. 18.00 rods ; thence N. 71° E. 16.00 rods; thence S. 83° E. 8.36 rods; thence South 59.16 rods to a stone witnessed by a hickory N. 11-1/4° E. distance 15 links, diameter 6 in. and a black oak S. 23° W. distance 30-1/2 links, diameter 10 in.; thence West 81.28 rods to the place of beginning, containing 24.25 acres, more or less.

As being described in Deed Record 105, Page 90 (Tract 2)
Being known as parcel number: P/O 31-0021098.000
Assessed acreage- 24.25
Agreement Number-218900000
Auditor's New Parcel Number: 31-21310.000

Being a part of the Southeast Quarter of the Southwest Quarter and a part of the Southwest Quarter of the Southeast Quarter of Section Twenty-Five (25), Township Eight (8) and Range Eight (8).

Beginning at an Elm tree 14" diameter which is 47.96 rods East from the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section; thence S. 85-1/4° E, along the Section line, 57.36 rods to a stone, witness a hickory 8" diameter bearing S. 18-1/4° E. 4 links distant; thence N. 18-1/4° W. 64.88 rods to a n Elm tree 6" diameter on the South side of the road leading from Glady Church to Mouny Ephraim, Noble County, Ohio; thence N. 76-1/2° W. 29.12 rods to a stake in the center of said road; thence along center of said road S. 74-3/4° W. 20.64 rods to a stake; thence, along center of road, S. 64° W. 10.32 rods to a stone; thence S. 20-1/4° E. 57.36 rods to the place of beginning, containing twenty-two & twenty-hundredths (22.20) acres, more or less.

As being described in Deed Record 105, Page 90 (Tract 3)
Being known as parcel number: P/O 31-0021098.000
Assessed acreage- 22.20
Agreement Number-218900000
Auditor's New Parcel Number: 31-21311.000

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

Situate in Section 25, Township 8 and Range 8. Beginning at a stone located at the northwest corner of said tract, being on the west line of said Section 25 and bearing North no degrees forty-four minutes West (N. $0^{\circ} 44'$ W.) twelve hundred ninety and $52/100$ (1290.52) feet from the southwest corner of said Section; thence with a line of lands now or formerly belonging to Pluma G. Spence, North eighty-nine degrees thirty-one minutes East (N. $89^{\circ} 31'$ E.) thirteen hundred forty-two and $56/100$ (1342.56) feet to a marked stone, corner to lands now or formerly belonging to Ira E. Fuller; thence with line of said Fuller, South no degrees thirty-eight minutes West (S. $00^{\circ} 38'$ W.) three hundred fifty-six and $no/100$ (356.00) feet to a point in the public road, thence along said public road and with said Fuller, the following nine (9) courses, North sixty degrees forty-four minutes West (N. $60^{\circ} 44'$ W.) ninety-six and $95/100$ (96.95) feet; thence South eighty-three degrees twelve minutes West (S. $83^{\circ} 12'$ W.) one hundred twenty-five and $93/100$ (125.93) feet; thence South sixty-eight degrees thirty-four minutes West (S. $68^{\circ} 34'$ W.) two hundred eighty and $95/100$ (280.95) feet; thence South forty-seven degrees forty-four minutes West (S. $47^{\circ} 44'$ W.) two hundred forty-five and $no/100$ (245.00) feet; thence South sixty-six degrees five minutes West (S. $66^{\circ} 5'$ W.) one hundred seventy-nine and $27/100$ (179.27) feet; thence North sixty-three degrees forty-six minutes West (N. $63^{\circ} 46'$ W.) two hundred thirty-seven and $7/100$ (237.07) feet; thence South sixty degrees fifteen minutes West (S. $60^{\circ} 15'$ W.) one hundred fifty-nine and $83/100$ (159.83) feet; thence North sixty-nine degrees seventeen minutes West (N. $69^{\circ} 17'$ W.) one hundred eight and $67/100$ (108.67) feet; thence North thirty-six degrees twenty-four minutes West (N. $36^{\circ} 24'$ W.) one hundred eight and $84/100$ (108.84) feet to a point on the west line of Section 25, corner to lands now or formerly belonging to E. R. King; thence with the section line North no degrees forty-four minutes West (N. $0^{\circ} 44'$ W.) five hundred one and $2/100$ (501.02) feet to the place of beginning, containing fifteen and $31/100$ (15.31) acres, more or less.

As being described in Deed Record 105, Page 355 (First Tract)

Being known as parcel number: 31-0021099.000

Assessed acreage- 15.31

Agreement Number-218900000

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

Tract No. 2; Being a part of the Southeast Quarter of Section 25, Township 8, Range 8, in Seneca Township, Nobel County, Ohio.

Beginning at a stone in the East line of Section 25, which stone is the Southeast corner of this tract, and said stone is North 5°-15' East 478.46 feet from the Southeast corner of said Section 25; thence South 65°-42' West with line of the Leo Kullman tract for 944.54 feet to the South line of Section 25; thence North 83°-52' West with said section line for 1381.27 feet to a corner in the section line; thence North 17°-35' East 296.99 feet and North 57°-32' East 669.41 feet; thence leaving the road and with three lines of the King tract, North 71°-50' East 1042.30 feet; North 86°-03' East 453.94 feet, and North 77°-52' East 416.11 feet to a stone in the East line of Section 25; thence South 5°-16' West 1540.19 feet to the beginning, containing 83.29 acres, more or less, subject to all legal highways.

As being described in Deed Record 106, Page 283 (Tract 2)

Being known as parcel number: 31-0021112.000

Assessed acreage- 83.29

Agreement Number-218900000

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

Tract No. 3: Being apart of the Southwest quarter of Section 25, Township 8, Range 8, in Seneca Township, Noble County, Ohio.

Beginning at a point in the road, which is North 68°-53' East 1749.05 feet (or North 629.98) feet and East 1631.66 feet) from the Southwest corner of said Section 25; thence North 16°-39' West 57.16 feet; thence North 5°-50' East 461.01 feet to a post; thence South 84°-47' East 1098.09 feet to a 30" ash tree; thence South 5°-31' West 322.10 feet to a point in the road; thence and with the road for five courses; North 79°-43' West 184.98 feet, North 76°-24' West 298.07 feet, South 75°-47' West 317.48 feet, South 61°-40' West 102.69 feet, and South 72°-43' West 233.68 feet to the beginning, containing 8.74 acres, more or less, subject to all legal highways.

As being described in Deed Record 106, Page 283 (Tract 3)

Being known as parcel number: P/O 31-0021112.000

Assessed acreage- 8.74

Agreement Number-218900000

Auditor's New Parcel Number: 31-21309.000