

*Cover page for:*

# **Preliminary Certificate of Title**

*Preliminary Certificate of Title prepared by:*

**Kincaid, Taylor & Geyer**

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**Auction Tract 64**  
**(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 #64**  
Seneca & Marion Townships, 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  
PO. 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 #23-0021046.000 (3.01 acres – Section 1 – Marion Township)

Valuation:	Land	1110	½ year tax: \$16.54
	Buildings	0	
	Total	1110	

Parcel #23-0021058.000 (71.41 acres – Section 1 – Marion Township)

Valuation:	Land	26090	½ year tax: \$388.82
	Buildings	0	
	Total	26090	

Parcel #23-0021062.000 (111.75 acres – Section 34 – Marion Township)

Valuation:	Land	41030	½ year tax: \$611.47
	Buildings	0	
	Total	41030	

Parcel #23-0021064.000 (1.11 acres – Section 34 – Marion Township)

Valuation:	Land	410	½ year tax: \$6.11
	Buildings	0	
	Total	410	

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**TAX INFORMATION – Continued:**

Parcel #23-0021077.000 (51.29 acres – Section 35 – Marion Township)

Valuation:	Land	18820	½ year tax: \$280.47
	Buildings	0	
	Total	18820	

Parcel #31-0021087.000 (36.7 acres – Section 36 – Seneca Township)

Valuation:	Land	15330	½ year tax: \$224.60
	Buildings	0	
	Total	15330	

Parcel #31-0021088.000 (1.25 acres – Section 36 – Seneca Township)

Valuation:	Land	530	½ year tax: \$7.77
	Buildings	0	
	Total	530	

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 of way and easement for an electric transmission line from Consolidation Coal Company formerly Pittsburgh Consolidation Coal Company to Ohio Power Company dated November 14, 1962 and recorded November 24, 1962 at Noble County Deed Record Volume 119, Page 544.
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.

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3. 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.
4. The premises are subject to a Memorandum of Well Site and Access Road Easement from CNX Land LLC to CNX Gas Company LLC dated May 29, 2018 and recorded May 30, 2018 at Noble County Official Record Volume 311, Page 575.
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.
6. The premises are subject to a right of way and easement for electric transmission, distribution and communication lines and appurtenant equipment and fixtures from CNX Land LLC to Ohio Power Company dated April 27, 2018 and recorded August 3, 2018 at Noble County Official Record Volume 314, Page 687.

**UNRELEASED OIL AND GAS LEASES:**

1. 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.
2. The premises are subject to a Memorandum of Surface Use Agreement from CNX RCPC, LLC and Consol Mining Company LLC to B & N Coal, Inc. dated August 13, 2015 and recorded December 7, 2015 in Noble County Official Record Volume 275, Page 220.

**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 29<sup>th</sup> day of August, 2019.

KINCAID, TAYLOR & GEYER

By   
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 64

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& GEYER  
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Exhibit "A"

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

Situated in the Northeast Quarter of Section 1, Township 7, Range 8, Marion Township, Noble County, Ohio. Beginning at a stone marking the Northeast corner of said Section 1, said stone also being a corner to Tract No. 2 hereinafter described and in line of Tract No. 3 hereinafter described, thence running with a line of said Tract No. 2, South eighty-eight degrees thirty minutes West (S. 88° 30' W.) three hundred forty-four and 52/100 (344.52) feet to the center of a road, being a corner to lands now or formerly owned by Kenneth Guiler; thence the following four (4) courses with said road and with lands of said Guiler, South six degrees fifty-nine minutes East (S. 6° 59' E.) one hundred ninety-six and 92/100 (196.92) feet; thence South fifteen degrees nine minutes East (S. 15° 9' E.) two hundred ninety-one and 65/100 (291.65) feet; thence South thirty-five degrees thirty-nine minutes East (S. 35° 39' E.) one hundred ninety-seven and 99/100 (197.99) feet; thence South forty-seven degrees ten minutes East (S. 47° 10' E.) two hundred fifteen and 55/100 (215.55) feet to a point in the center of the road and on the Section line, thence with a line of Tract No. 3 hereinafter described, North two degrees nine minutes West (N. 2° 9' W.) seven hundred seventy-six and 16/100 (776.16) feet to the place of beginning, containing three and 1/100 (3.01) acres, more or less.

As being described in Deed Record 105, Page 338

Being known as parcel number: 23-0021046.000

Assessed acreage- 3.01

Agreement Number- 218900000

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

Situated in the Northeast Quarter of Section 1, Township 7, Range 8, Seneca Township, Noble County, Ohio. Beginning at a stake on the North line of Section Number 1, from which stake the Northeast corner of the Section bears North eighty-eight degrees thirty minutes East (N. 88° 30' E.) three hundred forty-four and 52/100 (344.52) feet; said stake being located in the public road and being a corner to lands now or formerly belonging to Minnie Danford; thence the following four (4) courses with said road and with said Danford, South six degrees fifty-nine minutes East (S. 6° 59' E.) one hundred ninety-six and 92/100 (196.92) feet; thence South fifteen degrees nine minutes East (S. 15° 9' E.) two hundred ninety-one and 65/100 (291.65) feet; thence South thirty-five degrees thirty-nine minutes East (S. 35° 39' E.) one hundred ninety-seven and 99/100 (197.99) feet; thence South forty-seven degrees ten minutes East (S. 47° 10' E.) two hundred fifteen and 55/100 (215.55) feet to a point in said road and on the East line of Section Number 1; thence leaving said road and with a line of said Danford and of lands now or formerly belonging to Elbridge Moore, South two degrees nine minutes East (S. 2° 9' E.) fourteen hundred fifty-eight and no/100 (1458.00) feet to a stake in another road, said stake being a corner to said Moore and to lands now or formerly belonging to Cicero Archer; thence the following three (3) courses with said road and said Archer, South fifty-three degrees thirty-nine minutes West (S. 53° 39' W.) ten hundred eleven and 35/100 (1011.35) feet; thence South fifty-nine degrees seventeen minutes West (S. 59° 17' W.) three hundred forty-eight and 48/100 (348.48) feet; thence South sixty-five degrees thirty-one minutes West (S. 65° 31' W.) one hundred forty-nine and 44/100 (149.44) feet to a stake, corner to said Archer and in line of lands of Sarah A. Carpenter; thence leaving said road and with said Carpenter, North one degree forty-five minutes West (N. 1° 45' W.) four hundred eight and no/100 (408.00) feet to a stone at the Northeast corner of said Carpenter farm; thence with a line of lands now or formerly belonging to Frederick A. Bates, North one degree fifty-four minutes West (N. 1° 54' W.) twenty hundred thirty-one and 53/100 (2031.53) feet to a point in another road; thence the following four (4) courses with said Bates and said road, North thirty-three degrees seventeen minutes East (N. 33° 17' E.) seventy-six and 23/100 (76.23) feet; thence North nine degrees twenty-one minutes East (N. 9° 21' E.) two hundred eighteen and 22/100 (218.22) feet; thence North forty degrees forty-three minutes East (N. 40° 43' E.) three hundred nine and 81/100 (309.81) feet; thence North fifty degrees six minutes East (N. 50° 6' E.) one hundred fifty-two and 16/100 (152.16) feet to a point on the North line of Section Number 1; thence with the Section line, North eighty-eight degrees thirty minutes East (N. 88° 30' E.) five hundred five and 47/100 (505.47) feet to the place of beginning, containing seventy-one and 41/100 (71.41) acres, more or less.

As being described in Deed Record 105, Page 536  
Being known as parcel number 23-0021058.000 & 23-0021060.000  
Assessed acreage- 71.41 & 1.11  
Agreement Number- 218900000



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

Situated in Section 34, Township 7, Range 7, Marion Township, Noble County, Ohio. Beginning at a stake on the North line of said Section, said stake being located North eighty-seven degrees fifty-two minutes East (N. 87° 52' E.) one hundred twenty-eight and 90/100 (128.90) feet from the Northwest corner of said Section; thence with a line of Tract No. 4 hereinafter described, North eighty-seven degrees fifty-two minutes East (N. 87° 52' E.) twenty two hundred seventy-eight and 55/1000 (2278.55) feet to a marked stone at the Northeast corner of the Northwest quarter of Section 34, said stone being a corner to lands now or formerly belonging to Pluma Spence and to Roy Bates, thence with three (3) lines of said Bates, South one degree twenty-seven minutes East (S. 1° 27' E.) thirteen hundred forty-six and 99/100 (1346.99) feet to a marked stone; thence South eighty-seven degrees thirty-five minutes West (S. 87° 35' W.) eleven hundred eighty-eight and 86/100 (1188.86) feet to a marked stone; thence South two degrees fifty-one minutes East (S. 2° 51' E.) thirteen hundred fifty-three and 31/100 (1353.31) feet to a stake, corner to lands of said Bates and in line of lands now or formerly belonging to Elbridge Moore; thence with a line of said Moore, South eighty-seven degrees fifty-eight minutes West (S. 87° 58' W.) twelve hundred eighteen and 11/100 (1218.11) feet to a stake on the west line of Section 34, said stake being in line of lands of Kenneth Guiler; thence with Guiler and with a line of Tract No. 1 hereinabove described, North two degrees nine minutes West (N. 2° 9' W.) twenty-five hundred fifty-nine and 87/100 (2559.87) feet to a point on the section line, from which point a stone at the northeast corner of Section 34 bears North two degrees nine minutes West (N. 2° 9' W.) one hundred forty-three and 60/100 (143.60) feet; thence North thirty-nine degrees forty-six minutes East (N. 39° 46' E.) one hundred ninety-two and 92/100 (192.92) feet to the place of beginning, containing one hundred eleven and 75/100 (111.75) acres, more or less.

As being described in Deed Record 105, Page 338

Being known as parcel number 23-0021062.000

Assessed acreage- 111.75

Agreement Number- 218900000

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

Tract No. 3. Situated in Section 34, Township 7, Range 7, Marion Township, Noble County, Ohio. Beginning at a corner to Minnie Danford and on the West line of Section 34, from which point the Northwest Corner of Section 34 bears North two degrees nine minutes West (N. 2° 9' W.) twenty-seven hundred three and 49/100 (2703.49) feet; thence with a line of said Danford, North eighty-seven degrees fifty-eight minutes East (N. 87° 58' E.) one hundred seventy-eight and no/100 (178.00) feet to a point in a public road, said point being a corner to lands now or formerly belonging to Elbridge Moore, thence with said Moore and said public road South thirty-three degrees five minutes East (S. 33° 5' E.) one hundred eighty and 79/100 (180.79) feet; thence leaving the road, South sixty-seven degrees twenty-nine minutes West (S. 67° 29' W.) two hundred eighty-eight and 90/100 (288.90) feet to a point on the Section line and in the East line of Tract No. 1 hereinabove described; thence with said Section line and said East line North two degrees nine minutes West (N. 2° 9' W.) two hundred fifty-six and no/100 (256.00) feet to the place of beginning, containing one and 11/100 (1.11) acres.

As being described in Deed Record 105, Page 536  
Being known as parcel number: 23-0021064.000  
Assessed acreage- 1.11  
Agreement Number- 218900000

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

Situated in Section 35, Township 7, Range 7, Marion Township, Noble County, Ohio. Beginning at a stake on the South line of Section 35, said stake being a common starting point for Tract No. 3 hereinabove described, thence with the Section line North eighty-seven degrees fifty-two minutes East (N. 87° 52' W.) twenty two hundred seventy eight and 55/100 (2278.55) feet to a marked stone, corner to lands now or formerly belonging to Pluma Spence and to Roy Bates, thence with a line of said Spence, North one degree twenty-seven minutes West (N. 1° 27' W.) thirteen hundred forty-five and 62/100 (1345.62) feet to a post, corner to said Spence and to lands now or formerly belonging to Sheridan Bates and to Philip Kullman; thence with a line of Philip Kullman and of lands now or formerly belonging to Leo Kullman, South eighty-seven degrees forty-five minutes West (S. 87° 45' W.) thirteen hundred thirty-three and 33/100 (1333.33) feet to a Maple tree, corner to lands now or formerly belonging to L. C. and Clarice Johnson; thence the following seven (7) lines with said Johnson; South eighteen degrees thirty-four minutes West (S. 18° 34' W.) two hundred fifty-seven and no/100 (257.00) feet to a post; thence South thirty-six degrees four minutes West (S. 36° 4' W.) one hundred twelve and no/100 (112.00) feet to a post; thence South sixty-one degrees twenty-four minutes West (S. 61° 24' W.) two hundred seven and 30/100 (207.30) feet to a post; thence South thirty-five degrees fifty-seven minutes West (S. 35° 57' W.) three hundred twenty-three and 21/100 (323.21) feet to a post; thence South thirty-four degrees six minutes West (S. 34° 6' W.) three hundred forty and 5/100 (340.05) feet to a post; thence South seventy-five degrees fifty-one minutes West (S. 75° 51' W.) sixty-eight and 27/100 (68.27) feet to a post; thence South forty degrees twenty-six minutes West (S. 40° 26' W.) five hundred fifteen and 42/100 (515.42) feet to the place of beginning, containing fifty-one and 29/100 (51.29) acres, more or less.

As being described in Deed Record 105, Page 338

Being known as parcel number: 23-0021077.000

Assessed acreage- 51.29

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:

Situated in the Southeast quarter of Section 36, Township 8, Range 8, Seneca Township, Noble County, Ohio. Beginning at a stone marking the Southeast corner of said Section 36, being also a corner to Tract No. 1 above described and in line of Tract No. 3 hereinafter described, running thence with a line of said Tract No. 3, North two degrees nine minutes West (N. 2° 9' W.) fifteen hundred eighty-six and 96/100 (1586.96) feet to a stake, corner to lands now or formerly belonging to I.C. and Clarice Johnson, thence the following five (5) courses with lands of said Johnson, South forty-four degrees fifty-five minutes West (S. 44° 55' W.) two hundred fifty-one and 31/100 (251.31) feet; thence South fifty-six degrees thirty-five minutes West (S. 56° 35' W.) one hundred nine and 45/100 (109.45) feet; thence North eighty-nine degrees forty minutes West (N. 89° 40' W.) four hundred eighty-eight and 38/100 (488.38) feet to a post; thence North forty degrees forty-one minutes West (N. 40° 41' W.) three hundred sixty-five and 90/100 (365.90) feet to a point in the Township road, thence South forty-eight degrees thirty minutes West (S. 48° 30' W.) four hundred sixty-four and 85/100 (464.85) feet to a marked stone on the north side of said road, being a corner to said Johnson and in line of lands now or formerly belonging to Chester T. Bates; thence the following three (3) courses with said Bates, South four degrees thirty-seven minutes East (S. 4° 37' E.) nine hundred ten and 95/100 (910.95) feet to a post; thence South seventy-nine degrees ten minutes East (S. 79° 10' E.) five hundred thirty-seven and 5/100 (537.05) feet to a post; thence South twenty-three degrees fifteen minutes East (S. 23° 15' E.) one hundred ninety and no/100 (190.00) feet to a point in a road, corner to lands of said Bates and of Kenneth Guiler; thence the following two (2) courses with said road and said Guiler, North sixty eight degrees forty-four minutes East (N. 68° 44' E.) one hundred ninety-eight and no/100 (198.00) feet; thence South forty-two degrees three minutes East (S. 42° 3' E.) two hundred fifty and 90/100 (250.90) feet to a point in the South line of Section 36; thence with the Section line North eighty-eight degrees thirty minutes East (N. 88° 30' E.) three hundred forty-four and 52/100 (344.52) feet to the place of beginning, containing thirty six and 74/100 (36.74) acres, more or less.

As being described in Deed Record 105, Page 338 (Tract 2) ...

Being known as parcel number: 31-0021087.000

Assessed acreage-36.70

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. Situated in the Southeast Quarter of Section 36, Township 8, Range 8, Seneca Township., Noble County, Ohio. Beginning at a point common to starting point of Tract No. 1 hereinbefore described, thence with the road and a line of Minnie Danford, North forty-two degrees three minutes West (N 42° 3' W.) two hundred fifty and 90/100 (250.90) feet; thence continuing with said road the following two (2) lines with lands of Chester T. Bates, South sixty-eight degrees forty-four minutes West (S. 68° 44' W.) one hundred ninety-eight and no/100 (198.00) feet; thence South forty degrees six minutes West (S. 40° 6' W.) one hundred ninety-nine and 13/100 (199.13) feet to a point on the South line of Section 36; said point being a corner to Tract No. 1 hereinabove described, thence with a line of said Tract No. 1, North eighty-eight degrees thirty minutes East (N. 88° 30' E.) five hundred five and 47/100 (505.47) feet to the place of beginning, containing one and 25/100 (1.25) acres, more or less.

As being described in Deed Record 105, Page 536 (Tract 2)

Being known as parcel number: 31-0021088.000

Assessed acreage-1.25

Agreement Number-218900000