

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tracts 53, 54 & 55
(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 Tracts #53, 54 & 55
Seneca & Center 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
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 #07-0021001.000 (15 acres – Section 4 – Center Township)

Valuation:	Land	6180	½ year tax: \$91.52
	Buildings	0	
	Total	6180	

Parcel #07-0021004.000 (82.07 acres – Section 4 – Center Township)

Valuation:	Land	33610	½ year tax: \$497.73
	Buildings	0	
	Total	33610	

Parcel #31-0012045.000 (Lot 28, Mt. Ephriam – Seneca Township)

Valuation:	Land	3760	½ year tax: \$188.71 + \$3.00 assessment
	Buildings	9120	
	Total	12880	

Parcel #31-0012046.000 (Lot 29, Mt. Ephriam – Seneca Township)

Valuation:	Land	350	½ year tax: \$5.13
	Buildings	0	
	Total	350	

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TAX INFORMATION – Continued:

Parcel #31-0012047.000 (Lot 30, Mt. Ephriam – Seneca Township)

Valuation:	Land	350	½ year tax: \$5.13
	Buildings	0	
	Total	350	

Parcel #31-0012083.000 (Lot 27, Mt. Ephriam – Seneca Township)

Valuation:	Land	380	½ year tax: \$5.57 + \$3.00 assessment
	Buildings	0	
	Total	380	

Parcel #31-0021039.000 (1.957 acres – Section 33 – Seneca Township)

Valuation:	Land	820	½ year tax: \$12.01 + \$3.00 assessment
	Buildings	0	
	Total	820	

Parcel #31-0021001.000 (46 acres – Section 33 – Seneca Township)

Valuation:	Land	19050	½ year tax: \$279.12
	Buildings	0	
	Total	19050	

Parcel #31-0021002.000 (77.12 acres – Section 33 – Seneca Township)

Valuation:	Land	31880	½ year tax: \$467.09
	Buildings	0	
	Total	31880	

Parcel #31-0021003.000 (39.87 acres – Section 33 – Seneca Township)

Valuation:	Land	16740	½ year tax: \$245.27
	Buildings	0	
	Total	16740	

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TAX INFORMATION – Continued:

Parcel #31-0021004.000 (40 acres – Section 33 – Seneca Township)

Valuation:	Land	16800	½ year tax: \$246.14
	Buildings	0	
	Total	16800	

Parcel #31-0021008.000 (16.68 acres – Section 33 – Seneca Township)

Valuation:	Land	7010	½ year tax: \$102.71
	Buildings	0	
	Total	7010	

Parcel #31-0021009.000 (23.32 acres – Section 33 – Seneca Township)

Valuation:	Land	9790	½ year tax: \$143.44
	Buildings	0	
	Total	9790	

Parcel #31-0021010.000 (10.75 acres – Section 33 – Seneca Township)

Valuation:	Land	4260	½ year tax: \$62.41
	Buildings	0	
	Total	4260	

Parcel #31-0021012.000 (19.07 acres – Section 33 – Seneca Township)

Valuation:	Land	7790	½ year tax: \$114.14
	Buildings	0	
	Total	7790	

Parcel #31-0021021.000 (113.84 acres – Section 33 – Seneca Township)

Valuation:	Land	47810	½ year tax: \$705.62 + 15.00 assessment
	Buildings	350	
	Total	48160	

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TAX INFORMATION – Continued:

Parcel #31-0021042.000 (40 acres – Section 33 – Seneca Township)

Valuation:	Land	16420	½ year tax: \$240.58
	Buildings	0	
	Total	16420	

Parcel #31-0021048.000 (80 acres – Section 33 – Seneca Township)

Valuation:	Land	33600	½ year tax: \$492.29
	Buildings	0	
	Total	33600	

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 perpetual easement for a water distribution system from Consolidation Coal Company to Clear Water Corporation dated August 25, 1970 and recorded September 10, 1970 at Noble County Deed Record Volume 133, Page 444.
3. The premises are subject to an easement for lines of communication and electric facilities from Conoco, Inc. to General Telephone Company of Ohio dated May 28, 1985 and recorded June 19, 1985 at Noble County Official Record Volume 160, Page 442.
4. 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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5. 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.

6. 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.

7. 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:

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 oil and gas lease from Consolidation Coal Company to Georgetown Oil Company dated October 24, 2003 and recorded November 3, 2003 in Noble County Official Record Volume 106, Page 229. Said lease covers 786.44 acres and is for a primary term of 1 year and as long thereafter as oil or gas is produced.

3. The premises are subject to an oil and gas lease from Consolidation Coal Company to Northwood Energy Corporation dated January 24, 2005 and recorded March 4, 2005 in Noble County Official Record Volume 121, Page 516. Said lease covers 150.35 acres and is for a primary term of 1 year and as long thereafter as oil or gas is produced.

LIENS:

No liens of record.

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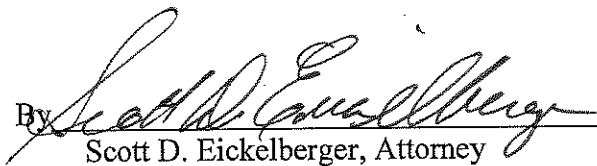
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I am an attorney qualified to practice in the State of Ohio and I certify that, as of 8:00 a.m. on the date of this Certificate, CNX Land LLC's, interest in and to real estate described at Exhibit "A" is free and clear of liens and encumbrances of 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 6th day of September, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tracts 53, 54 & 55

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Exhibit "A"

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

Situated in the Township of Center, County of Noble and State of Ohio, Beginning at the northwest corner of the northwest quarter of the northeast quarter of Section 4, Township 7, Range 8; running thence South $8\text{-}3/4^\circ$ East 66 rods along the Seneca Township line to the public road; thence South 30° East 34.4 rods to a stake; thence North 87° West 84.5 rods to a stake; thence North 3° East 35 rods to the place of beginning, containing 15 acres, more or less.

As being described in Deed Record 134, Page 160
Being known as parcel number: 07-0021001.000
Assessed acreage- 15.00
Agreement Number- 218905000.

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

Situated in the State of Ohio, County of Noble, and Township of Center, and being the East half of the N.E. Quarter of Section Four (4), Township Seven (7), Range Eight (8) containing Eighty-two (82) acres, more or less.
Said real estate and premises are also hereafter described from an actual survey thereof, made October 21, 1949, by John M. Davis, Surveyor, Register No. 1277, which, by agreement of the parties to this deed, is and shall be the controlling description.

Being a part of the Northeast Quarter of Section No. Four (4), Township No. Seven (7), Range No. Eight (8), Center Township, Noble County, Ohio and being more particularly bounded and described as follows, to wit:

Beginning at a post at the Northeast corner of said Section Four (4), a corner common to lands now or formerly belonging to Jackson Barry, to Craig Cleary and to Roberta Cleary and running thence with the section line between Sections Three (3) and Four (4), South four degrees two minutes West ($S\ 4^\circ\ 2'\ W.$) with said Roberta Cleary twenty-five hundred sixty two and $51/100$ (2562.51) feet to a post corner to lands now or formerly belonging to A. Craig; thence with a line of said Craig, North eighty-seven degrees fifteen minutes West ($N\ 87^\circ\ 15'\ W.$) thirteen hundred ninety-two and $32/100$ (1392.32) feet to an Elm tree ten (10) inches in diameter, corner to lands now or formerly belonging to Taylor Wickham, thence with a line of said Wickham and with a two (2) acre tract or Grantor herein, North four degrees eight minutes East ($N.\ 4^\circ\ 8'\ W$) twenty-five hundred eighty-two and $22/100$ (2582.22) feet to the North line of Section No. Four (4) a corner to Jackson Barry, thence with a line of said Barry, South eighty-six degrees twenty-six minutes East ($S\ 86^\circ\ 26'\ E.$) thirteen hundred eighty-seven and $52/100$ (1387.52) feet to the place of beginning, containing eighty-two and $7/100$ (82.07) acres, more or less.

As being described in Deed Record 104, Page 520
Being known as parcel number: 07-0021004.000
Assessed acreage- 82.07
Agreement Number- 218905000

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

Being a part of Section 33, Township 8, Range 8, further described as Front Lot numbers twenty-eight (28), twenty-nine (29), and thirty (30), and Back Lot number twenty-seven (27).

As being described in Deed Record 137, Page 433

Being known as parcel numbers: 31-0012083.000 (Lot 27), 31-0012045.000 (Lot 28), 31-0012046.000 (Lot 29) & 31-0012047 (Lot 30)

Assessed acreage-Lots 27, 28, 29 & 30

Agreement Number-218914000

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 33, township 8 of range 8, containing 1.88 acres, more or less, which is now described as a new survey as follows:

Situated in the State of Ohio, County of Noble, Township of Seneca and being part of the Northwest quarter of the Northeast quarter of Section 33, Township 8 North, Range 8 West and being described as follows:

Commencing at the Northwest corner of the Northeast quarter of said Section 33; thence along the North line of the Northeast quarter of said Section 33, South 89° 15' 48" East, 126.65 feet to an iron pin set and being the true place of beginning for the parcel herein described; thence continuing along the North line of the Northeast quarter of said Section 33, South 89° 15' 45" East 356.76 feet to an iron pin set; thence along property now or formerly owned by the DuPont Energy Coal Holding, Inc. as described in Volume 165, Page 466 of the Deed Records of Noble County, Ohio. South 43°36'38" West 327.41 feet to an iron pin set; thence along property now or formerly owned by the Mt. Ephraim United Methodist Church, South 09°37'36" West, 167.22 feet to an iron pin found; thence along Lot 37 of Mt. Ephraim and an extension thereof, also being property now of formerly owned by the Trustees of the Mt. Ephraim United Methodist Church as described in Volume 54, Page 357 of the Official Records of Noble County, Ohio, North 43°00'00" West 280.00 feet to an iron pin found, having passed through an iron pin found at 132.00 feet; thence along the Easterly side of State Routh 147, North 23° 34' 31" East, 220.11 feet to the place of beginning, containing 1.957 acres, more or less, but being subject to all legal right-of-ways, easements, and restrictions of record and being the same property described in Volume 107, Page 202 of the Deed Records of Noble County, Ohio.

As being described in Deed Record 137, Page 433

Being known as parcel number: 31-0021039.000

Assessed acreage-1.957

Agreement Number-218914000

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

Tract 2: Situated in Section 33, Township 8, Range 8, Seneca Township, Noble County, Ohio and being more particularly bounded and described as follows, to-wit:

Beginning at the Southwest corner of said Section 33, a corner to lands now or formerly belonging to H.G. Shafer, thence with the Section line and a line of said Shafer, North four degrees twenty-seven minutes East (N. 4° 27' E.) seven hundred eighty and no/100 (780.00) feet to a point in State Route 147, thence following said State Route and the tract of an old road existing before Route 147 was improved, North twenty-three degrees sixteen minutes East (N. 23° 16' E.) seven hundred eighty-seven and 91/100 (787.91) feet to a stake in the old road, thence following said old road, North forty-eight degrees fifty-nine minutes East (N. 48° 59' E.) two hundred seventy-one and 85/100 (271.85) feet to a point at the North end of a bridge located on State Route #147 and being a corner to lands now or formerly owned by B. Shafer; thence with a line of said Shafer and leaving State Route 147, South fifty-three degrees forty-eight minutes East (S. 53° 48' E.) seven hundred forty-eight and 2/100 (748.02) feet; thence with a line of said B. Shafer and of lands now or formerly belonging to F. Shafer, South eighty-four degrees forty minutes East (S. 84° 40' E.) five hundred thirty-one and 19/100 (531.19) feet to a point in an old road; thence with said old road, South six degrees forty-four minutes East (S. 6° 44' E.) three hundred thirty-nine and 75/100 (339.75) feet to a stake, corner to lands now or formerly belonging to John and Ilo Beatty; thence the following two (2) lines with said Beatty, North eighty-eight degrees twenty-nine minutes West (N. 88° 29' W.) three hundred fifty-two and 68/100 (352.68) feet to a post; thence South four degrees twenty-five minutes West (S. 4° 25' W.) nine hundred seventy-two and 70/100 (972.70) feet to a post on the South line of Section 33 and on the township line; thence with a line of lands now or formerly belonging to John W. Reed, North eighty-five degrees forty minutes West (N. 85° 40' W.) thirteen hundred twenty-six and 48/100 (1326.48) feet to the place of beginning, containing forty-six and no/100 (46.00) acres, more or less.

As being described in Deed Record 104, Page 237 (Tract 2)

Being known as parcel number: 31-0021001.000

Assessed acreage- 46.00

Agreement Number-218672000

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

Situated in Section 33, Township 8, Range 8, Seneca Township, Noble County, Ohio and being more particularly bounded and described as follows, to-wit:

Beginning at the Southeast corner of the Southwest Quarter of said Section 33, at a stake, corner to lands now or formerly belonging to John W. Reed, and running thence with the Section line North eighty-five degrees forty minutes West (N. 85° 40' W.) thirteen hundred thirteen and 87/100 (1313.87) feet to a post, corner to lands now or formerly belonging to N.E. Leasure, thence with three (3) lines of said Leasure, North four degrees twenty-five minutes East (N. 4° 25' E.) nine hundred seventy-two and 70/100 (972.70) feet to a point in a public road and passing on line at plus nine hundred twenty-two and 67/100 (922.67) a twelve (12) inch poplar; thence South eighty-eight degrees twenty-nine minutes East (S. 88° 29' E.) three hundred fifty-two and 68/100 (352.68) feet to a point in an old roadway; thence following said roadway, North six degrees forty-four minutes West (N. 6° 44' W.) three hundred thirty-nine and 75/100 (339.75) feet to a stake in the center of said roadway, same being a corner to lands now or formerly belonging to Hazel M. Powell; thence with a line of said Powell, South eighty-five degrees forty minutes East (S. 85° 40' E.) ten hundred twenty-six and 4/100 (1026.04) feet to a point on the line between the Southeast and the Southwest Quarters of Section 33 and from which point a marked stone at the center of Section 33 bears North four degrees twenty-one minutes East (N. 4° 21' E.) thirteen hundred thirty-three and 43/100 (1333.43) feet; thence continuing South eighty-five degrees forty minutes East (S. 85° 40' E.) with a line of lands now or formerly belonging to Jackson Barry, thirteen hundred nine and 61/100 (1309.61) feet to a large black Walnut tree; thence with a second line of said Barry, South four degrees thirty-one minutes West (S. 4° 31' W.) thirteen hundred twenty-three and 59/100 (1323.59) feet to a ten(10) inch Ash tree on the South line of Section 33 and in the line of lands now or formerly belonging to Letha Spragg; thence with a line of said Spragg, North eighty-five degrees forty minutes West (N. 85° 40' W.) thirteen hundred six and 24/100 (1306.24) feet to the place of beginning, containing seventy-seven and 12/100 (77.12) acres, more or less.

As being described in Deed Record 105, Page 533

Being known as parcel number: 31-0021002.000

Assessed acreage-77.12

Agreement Number-218905000

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

Being the southeast quarter of the southeast quarter of Section Thirty-Three (33), Township Eight (8), and Range Eight (8), containing thirty-nine and eighty-seven hundredths (39.87) acres, more or less.

As being described in Deed Record 104, Page 454

Being known as parcel number: 31-0021003.000

Assessed acreage-39.87

Agreement Number-218905000

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

The Northeast Quarter of the South East Quarter of Section thirty-three (33), Township eight (8), Range Eight (8), containing thirty-nine and 87/100 of an acre.

As being described in Deed Record 146, Page 329
Being known as parcel number: 31-0021004.000
Assessed acreage-40.00
Agreement Number-218905000

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

Fraction Numbered Twenty (20) in the Southwest quarter of Section Thirty-three (33), Township 8 of Range 8, except two acres, off the West side of said fraction heretofore conveyed by D.L. Shafer to Bertha Shafer, to which deed reference is here made for a more completed description of said exception, and containing after said exception is taken out 16.68 acres, more or less.

As being described in Deed Record 133, Page 359
Being known as parcel number: 31-0021008.000
Assessed acreage-16.68
Agreement Number-218905000

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

Tract No. 1. Known as and being the northeast quarter of the southwest quarter of said section containing 39.87 acres, more or less, but excepting therefrom the following:

Beginning for said exception at the northwest corner of said northeast quarter of the southwest quarter of section 33, thence South 86° East along the quarter section line 50.04 rods to the center of the ridge road leading to Mt. Ephraim; thence along the center of said road South 22° West 19.60 rods; thence South 35-1/4 West 21.80 rods; thence South 26-3/4° West 45.72 rods to the quarter quarter line; thence North 86° West along said line 15.28 rods to the southwest corner of said quarter quarter; thence North 4° East along the quarter quarter line 80.10 rods to the place of beginning, containing in said exception 16.38 acres, more or less.

As being described in Deed Record 105, Page 349 (Tract 1)
Being known as parcel number: 31-0021009.000
Assessed acreage-23.32
Agreement Number-218905000

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: Known as and being all that part of the northwest quarter of the southeast quarter of said section 33 lying on the west side of the public road leading from Mt. Ephraim to Mt. Ephraim Station, containing 10.75 acres, more or less.

As being described in Deed Record 105, Page 349 (Tract 2)

Being known as parcel number: 31-0021010.000

Assessed acreage-10.75

Agreement Number-218905000

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

Tract 1: Situated in Section 33, Township 8, Range 8, Seneca Township, Noble County, Ohio and being more particularly bounded and described as follows, to-wit:

Beginning at a marked stone at the center of Section 33, thence with the Quarter Section line North eighty-five degrees forty-nine minutes West (N. 85° 49' W.) with a line of lands now or formerly belonging to F. Shafer and to B. Shafer twenty-three hundred twelve and 14/100 (2312.14) feet to a post, said post being a corner to lands now or formerly belonging to G. Shafer, thence with a line of said G. Shafer North nineteen degrees six minutes East (N. 19° 6' E.) eight hundred sixty-nine and 56/100 (869.56) feet to a walnut tree, thence South seventy-nine degrees fifty-six minutes East (S. 79° 56' E.) thirteen hundred fifty and no/100 (1350.00) feet; thence South seven degrees twenty-eight minutes East (S. 7° 28' E.) one hundred three and 52/100 (103.52) feet to an old post; thence South eighty-nine degrees fifty-three minutes East (S. 89° 53' E.) one hundred twenty-one and 70/100 (121.70) feet to a post; thence South sixteen degrees nineteen minutes East (S. 16° 19' E.) thirty-five and 11/100 (35.11) feet to a wild cherry tree; thence North eighty-six degrees fifty five minutes East (N. 86° 55' E.) one hundred seventy-six and 1/100 (176.01) feet to a point in the public road, thence with said road South one degree two minutes East (S. 1° 2' E.) forty-seven and 32/100 (47.32) feet; thence leaving said road, South eighty-one degrees forty-two minutes East (S. 81° 42' E.) two hundred four and no/100 (204.00) feet to a post; thence South five degrees fifty-one minutes West (S. 5° 51' W.) one hundred sixty-four and 54/100 (104.54) feet to a post; thence North sixty-three degrees eighteen minutes East (N. 63° 18' E.) two hundred forty-five and 45/100 (245.45) feet to a post on the Quarter Section line; thence with said Quarter Section line, South three degrees fifty-four minutes West (S. 3° 54' W.) four hundred ninety-eight and 28/100 (498.29) feet to the place of beginning, containing thirty-five and 12/100 (35.12) acres, more or less.

As being described in Deed Record 104, Page 237 (Tract 1)

Parcel 31-0021012.00 - Continued on next page

Excepting and reserving the following described tract of land:

Tract One: Situated in the State of Ohio, County of Noble and the Township of Seneca. Being part of the Northwest Quarter of Section 33, Township 8, Range 8 and being a portion of a 35.12 acre tract conveyed to Dupont Energy Coal Holdings, Inc. in Volume 165, Page 466 and more particularly described as Tract 1 in Volume 104, Page 237 in the Noble County Record of Deeds. Beginning at a point in the centerline of State Route 147 on the half section line and on the south line of the above mentioned 35.12 acre tract from which a 14" x 10" unmarked stone (found) at the occupied center of said Section 33 bears South 85° 49' 00" East 1610.50 feet, also from said place of beginning a ¾ inch diameter iron pipe (found) at the northeast corner of the Jack R. and Norma R. Miley parcel as described in Official Record 3, Page 629 bears South 85° 43' 33" East 346.59 feet, thence from said place of beginning and following the boundary of said 35.12 acre parcel and following the boundary of said Miley parcel, North 85° 49' 00" West 701.64 feet to a ½ inch diameter iron pin (set) at the southeast corner of an 11.70 acre parcel recorded in Volume 149, Page 168 of said county deed records, thence following the east line of said 11.70 acre parcel, North 19° 06' 00" East 869.56 feet to a ½ inch diameter iron pin (set) at the southwest corner of a 16.37 acre parcel recorded as Tract 1-A in Volume 125, Page 65 of said county deed records, thence following the south line of said 16.37 acre parcel and following the south line of an 11.00 acre tract as recorded in Volume 144, Page 731, South 79° 56' 00" East 1098.54 feet to a ½ inch diameter iron pin (set) 3.00 feet north of the north edge of pavement of State Route 147, thence South 69° 40' 34" West 100.63 feet to a point in the center of State Route 147, thence following State Route 147, South 52° 50' 16" West 74.33 feet, thence South 44° 30' 28" West 70.38 feet, thence South 39° 49' 14" West 535.01 feet, thence South 40° 49' 18" West 184.87 feet to the place of beginning. Containing 16.0494 acres.

As being described in Official Record 152, Page 662 (Tract 1)

Being known as parcel number: 31-0021012.000

Assessed acreage-19.07

Agreement Number-218672000

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 No. 33, Township No. 8 and Range No. 8 in Seneca Township, Noble County, Ohio.

Beginning at a stone at the Southeast corner of the Northeast quarter of said Section No. 33, thence N. 86° 01' W. with the quarter section line and lands of Craig Cleary, Jackson Berry and Hazel Powell, 2630.10 feet to a post at the center of said Section No. 33; thence N. 3° 55' E. with quarter section line and lands of Marcus Leasure, Pierce Moore and the Village of Mt. Ephraim, 1634.57 feet to a post; thence N. 37° 36' E. with the Village of Mt. Ephraim, 102.35 feet to a post; thence N. 49° 47' E. with the Village of Mt. Ephraim, 440.87 feet to a post; thence N. 31° 09' W. with the Village of Mt. Ephraim, 116.99 feet to a post; thence N. 14° 52' E. with line of the cemetery, 195.96 feet to a post; thence N. 78° 24' W. with line of the cemetery, 68.17 feet to a post; thence N. 46° 38' W. with line of the cemetery, 36.99 feet to a post; thence N. 46° 20' E. with the Village of Mt. Ephraim, 327.78 feet to a post; thence S. 86° 31' E. with lands of Irving Graham 836.11 feet to a post; thence S. 85° 46' E. with the lands of Albert Beatty, 1316.61 feet to a post; thence S. 4° 24' W with lands of Wilbert and Blanche Williams, 1325.58 feet to the beginning, containing 113.84 acres, more or less, and subject to all legal highways.

As being described in Deed Record 105, Page 283

Being known as parcel number: 31-0021021.000

Assessed acreage- 113.84

Agreement Number-218905000

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

Tract One: Being in the district of lands subject to sale at Zanesville, Ohio, and being the northeast quarter of the northeast quarter of Section 33, Township 8 of Range 8, containing 40 acres, more or less.

As being described in Deed Record 134, Page 160 (Tract 1)

Being known as parcel number: 31-0021042.000

Assessed acreage-40.00

Agreement Number-218905000

Being Parcel #31-0021048.000 included in the following description

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

The South half of the west half of the Southwest Quarter of Section thirty-four (34), Township Eight (8), Range Eight (8), containing forty acres, more or less.

Also, the north half of the west half of the Southwest Quarter of Section thirty-four (34), Township Eight (8), Range Eight (8), containing forty acres, more or less.

Also the Southeast Quarter of the Southwest Quarter of Section thirty-four (34), Township Eight (8), Range Eight (8), containing forty acres, more or less.

The three tracts containing 120 acres.

As being described in Deed Record 146, Page 329

Being known as parcel number: 31-0021048.000 and 31-20021314.000

Assessed acreage-120.00

Agreement Number-218905000