

*Cover page for:*

# **Preliminary Certificate of Title**

*Preliminary Certificate of Title prepared by:*

**Kincaid, Taylor & Geyer**

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**Auction Tract 63**  
**(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 #63**  
Marion 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 #23-0021036.000 (73.34 acres – Section 2 – Marion Township)

Valuation:	Land	26950	½ year tax: \$401.63
	Buildings	0	
	Total	26950	

Parcel #23-0021041.000 (27 acres – Section 1 – Marion Township)

Valuation:	Land	9920	½ year tax: \$147.83
	Buildings	0	
	Total	9920	

Parcel #23-0021488.000 (2.08 acres – Section 1 – Marion Township)

Valuation:	Land	760	½ year tax: \$11.33
	Buildings	0	
	Total	760	

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.

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**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 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.
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.

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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 5<sup>th</sup> day of September, 2019.

KINCAID, TAYLOR & GEYER

By   
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 63

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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 Marion Township, Noble County, Ohio, and known as being a part of the Northwest Quarter of Section One and a part of the Northeast Quarter of Section Two; Township Seven, Range 8 and bounded and described as follows: Beginning at a stone at the Northeast corner of said Section Two; thence North  $86^{\circ}$  West along section line 131.52 rods to a stone at the center of the North side of the Northwest Quarter of the Northeast of said Section Two; thence South  $4^{\circ}$  West 80 rods to the quarter quarter line; thence South  $86^{\circ}$  East; thence South  $52\text{-}1/4^{\circ}$  West 16.40 rods; thence South  $15\text{-}3/4^{\circ}$  West 10.48 rods; thence South  $52^{\circ}$  East 3 rods to the center of the ridge road; thence South  $56\text{-}1/2^{\circ}$  West along said road 25.80 rods; thence South  $50\text{-}1/2^{\circ}$  East 4.40 rods; thence South  $18\text{-}1/2^{\circ}$  West 4.72 rods; thence South  $68\text{-}3/4^{\circ}$  East 4.54 rods; thence South  $2\text{-}3/4^{\circ}$  West 16.88 rods to the quarter section line; thence South  $86\text{-}3/4^{\circ}$  East along said line 28.32 rods; thence South  $4\text{-}3/4^{\circ}$  East 50.40 rods to the center of ridge road; thence North  $69\text{-}3/4^{\circ}$  East along said road 16.40 rods to Section line; thence North  $5\text{-}3/4^{\circ}$  East along said line 23 rods to the South East corner of Northeast Quarter of the Northeast Quarter of said Section Two; thence South  $85\text{-}1/2^{\circ}$  East 58.40 rods to the of ridge road; thence North  $37\text{-}1/2^{\circ}$  East along said road 6.36 rods; thence North  $57\text{-}1/2^{\circ}$  East along said road 19.50 rods to the quarter quarter line; thence North  $6\text{-}1/2^{\circ}$  East along line 21.56 rods; thence North  $84^{\circ}$  West 25.80 rods; thence North  $4^{\circ}$  East 27 rods; thence South  $88\text{-}3/4^{\circ}$  West 20 rods; thence South  $79\text{-}1/2^{\circ}$  West 11.08 rods; thence North  $5\text{-}3/4^{\circ}$  West 18.20 rods to section line; thence North  $86^{\circ}$  West along line 15.92 rods to place of beginning, containing one hundred and ten  $56/100$  acres ( $110.56/100$ ), more or less.

EXCEPTING from Second Tract the following described premises:

Situated in the State of Ohio, County of Noble; Township of Marion, and being a part of Section 2, Township 7, Range 8.

Beginning for description at a corner post marking the most southeasterly corner of an 81 acre tract in Section 2, Township 7, Range 8, said tract is part of a 110.56 acre tract #2 conveyed to Forrest H. Danford by Samuel C. Danford by Warranty Deed dated July 1, 1938 and recorded in Volume 91, Page 10, Deed Records of Noble County, Ohio. Said beginning corner post bears North  $86^{\circ} 00' 00''$  West a distance of 241.01 feet from the Southeast corner of Northeast Quarter of Section 2. Thence from said beginning corner post and with the existing fence line North  $86^{\circ} 00' 00''$  West a distance of 463.43 feet to a corner post; thence North  $03^{\circ} 31' 55''$  East a distance of 274.56 feet to a corner post; thence North  $66^{\circ} 40' 35''$  West a distance of 75.33 feet to a corner post; thence North  $19^{\circ} 52' 25''$  East a distance of 76.26 feet to a corner post; thence North  $48^{\circ} 06' 15''$  West a distance of 75.48 feet to a R. R. Spike on the centerline of Township Road No. 217; thence with said road North  $57^{\circ} 36' 40''$  East a distance of 275.60 feet to a point in said Township Road No. 217; thence North  $66^{\circ} 03' 55''$  East a distance of 93.64 feet to a point in Township Road No. 217 and on the East line of the 110.56 acre tract previously mentioned; thence with said line South  $05^{\circ} 57' 45''$  West a distance of 830.20 feet to the place of beginning, containing 7.66 acres, more or less.

Said tract of land containing 27 acres in Section 1 and 73.34 acres in Section 2.

As being described in Deed Record 133, Page 362 (Second Tract)  
Being known as parcel number: 23-0021036.000 & 23-0021041.000  
Assessed acreage-73.34 & 27.00  
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 Marion Township, Noble County, Ohio, and known as and being a part of the Northwest Quarter of Section 1, Township 7 and Range 8. Beginning for the same at a stone 16.0 poles East of the Northwest corner of said Section 1 and on the north line thereof, thence with said line South  $88\frac{1}{2}^{\circ}$  East 22.07 poles; thence South  $2\frac{1}{2}^{\circ}$  West 13.64 poles; thence South  $78\frac{1}{4}^{\circ}$  West 19.57 poles, thence north  $8\frac{1}{4}^{\circ}$  West 18.26 poles to the place of beginning, containing 2.0 acres and 12 square perches, more or less.

As being described in Deed Record 105, Page 336  
Being known as parcel number: 23-0021488.000  
Assessed acreage- 2.08  
Agreement Number- Unknown