

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tract 17 **(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 #17
Center 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 #07-0021500.000 (4.05 acres – Section 31 – Center Township)

Valuation:	Land	1130	½ year tax: \$16.73 + \$3.00 assessment
	Buildings	0	
	Total	1130	

Parcel #07-0021500.001 (35.14 acres – Section 31 – Center Township)

Valuation:	Land	14760	½ year tax: \$218.58 + \$3.00 assessment
	Buildings	0	
	Total	14760	

Parcel #07-0021500.003 (12.75 acres – Section 31 – Center Township)

Valuation:	Land	5360	½ year tax: \$79.37 + \$3.00 assessment
	Buildings	0	
	Total	5360	

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.

UNRELEASED OIL AND GAS LEASE:

1. The premises are subject to an oil and gas lease from Paul E. Bryan to Mohawk Oil Corporation dated January 31, 1975 and recorded February 12, 1975 in Noble County Lease Volume 76, Page 216. Said lease covers 61 acres and is for a primary term of 5 years and as long thereafter as oil or gas is produced in paying quantities.
2. The premises are subject to an oil and gas lease from Paul E. Bryan to D. & H. Oil Company dated February 8, 1980 and recorded June 6, 1980 in Noble County Lease Volume 86, Page 73. Said lease covers 64 acres and is for a primary term of 3 years and as long thereafter as oil or gas is produced.
3. The premises are subject to an oil and gas lease from Paul E. Bryan to Tiger Oil Inc. dated June 8, 1983 and recorded September 8, 1983 in Noble County Lease Volume 97, Page 129. Said lease covers 62 acres and is for a primary term of 1 year and as long thereafter as oil or gas is produced.
4. The premises are subject to an oil and gas lease from Paul E. Bryan to Mutual Oil & Gas Company dated December 15, 1984 and recorded January 14, 1985 in Noble County Lease Volume 100, Page 936. Said lease covers 64 acres and is for a primary term of 2 years and as long thereafter as oil or gas is produced in paying quantities.

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 25th day of September, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 17

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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:

Tract Three: Situated in the State of Ohio, County of Noble, Township of Center and being part of the West half of the Northeast quarter of Section 31, Township 7 North, Range 8 West and being described as follows:

Beginning at an iron pin set at the Northeast corner of the Northwest quarter of the Northeast quarter of Section 31; thence along the East line of the West half of the Northeast quarter of said Section 31, South 00° 51' 14" East, 710.50 feet to an iron pin set; thence South 89° 06' 31" West, 515.87 feet to the center of Township Road 138, from where an iron pin set bears South 89° 06' 31" West, 20.68 feet thence along the center of said Township Road 138 the following 8 courses;

1. North 36° 34' 32" East, 19.59 feet;
2. North 44° 29' 31" East, 196.33 feet;
3. North 36° 30' 29" East, 77.30 feet;
4. North 32° 33' 15" East, 127.52 feet;
5. North 26° 28' 22" East, 46.36 feet;
6. North 26° 03' 19" East, 54.68 feet;
7. North 26° 18' 47" East, 157.70 feet;
8. North 29° 00' 34" East, 182.23 feet, from where an iron pin set bears South 89° 16' 56"

West 15.92 feet; thence leaving said Township Road 138 and going North 89° 16' 56" East, 41.00 feet to the place of beginning, containing 4.050 acres, more or less, but being subject to all legal right-of-ways, easements and restrictions of record and being part of the property described in Volume 153, Page 485 of the Deed Records of Noble County, Ohio.

As being described in Deed Record 121, Page 26
Being known as parcel number: 07-0021500.000
Assessed acreage- 4.05
Agreement Number- 218908000

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

Tract One: Situated in the State of Ohio, County of Noble, Township of Center and being part of the West half of Northeast quarter of Section 31, Township 7 North, Range 8 West and being described as follows:

Beginning at a marked stone found at the Southeast corner of the Southwest quarter of the Northeast quarter of said Section 31; thence along the south line of the West half of the Northeast quarter of said Section 31, South $89^{\circ} 30' 57''$ West, 708.86 feet to an iron pin set by a leaning marked stone; thence along property now or formerly owned by Virgil Saling et al, as described in Volume 166, Page 459 of the deed Records of Noble County, Ohio, North $00^{\circ} 37' 48''$ West, 1351.34 feet to an iron pin set; thence continuing along said Saling property and also being the South line of the Northwest quarter of the Northeast quarter of said Section 31, South $89^{\circ} 34' 17''$ West, 687.23 feet to an iron pin set; thence along the West line of the West half of the Northeast quarter of said Section 31, North $01^{\circ} 01' 09''$ West, 33.61 feet to the center of Township Road 138; thence along the center of said Township Road 138 the following 12 courses:

1. North $61^{\circ} 17' 50''$ East, 98.34 feet;
2. North $51^{\circ} 35' 14''$ East, 110.50 feet;
3. North $64^{\circ} 37' 54''$ East, 187.20 feet;
4. North $70^{\circ} 12' 10''$ East, 83.26 feet;
5. North $57^{\circ} 42' 12''$ East, 152.24 feet;
6. North $52^{\circ} 34' 26''$ East, 69.59 feet;
7. North $48^{\circ} 41' 46''$ East, 85.45 feet;
8. North $54^{\circ} 23' 17''$ East, 132.64 feet;
9. North $45^{\circ} 47' 02''$ East, 49.78 feet;
10. North $35^{\circ} 12' 46''$ East, 43.27 feet;
11. North $29^{\circ} 49' 45''$ East, 31.79 feet;
12. North $36^{\circ} 34' 32''$ East, 22.57 feet to a point from where an iron pin set bears South $89^{\circ} 06' 31''$ West, 20.68 feet; thence leaving said Township Road 138 and going North $89^{\circ} 06' 31''$ East, 515.87 feet to an iron pin set; thence along the East line of the West half of the Northeast quarter of said Section 31, South $00^{\circ} 51' 14''$ East, 1979.33 feet to the place of beginning, containing 35.136 acres, more or less, but being subject to all legal right-of-ways, easements, and restrictions of record and being part of the property described in Volume 153, Page 485 of the Deed records of Noble County, Ohio.

As being described in Deed Record 121, Page 26
Being known as parcel number: 07-0021500.001
Assessed acreage- 35.136
Agreement Number- 218908000

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, Township of Center and being part of the West half of the Northeast quarter of Section 31, Township 7 North, Range 8 West and being described as follows:

Beginning at a marked stone found at the Northwest corner of Northeast quarter of said Section 31; thence along the West line of the West half of the Northeast quarter of said Section 31, South $01^{\circ} 01' 09''$ East, 714.73 feet to an iron pin set, having passed through iron pins found at 199.00 feet, 387.20 feet and 559.88 feet, respectively; thence North $89^{\circ} 06' 31''$ East, 876.68 feet to the center of Township Road 138, having passed through an iron pin set at 856.00 feet; thence along the center of said Township Road 138 the following 8 courses:

1. North $36^{\circ} 34' 32''$ East, 19.59 feet;
2. North $44^{\circ} 29' 31''$ East, 196.33 feet;
3. North $36^{\circ} 30' 29''$ East, 77.30 feet;
4. North $32^{\circ} 33' 15''$ East, 127.52 feet;
5. North $26^{\circ} 28' 22''$ East, 46.36 feet;
6. North $23^{\circ} 03' 19''$ East, 54.68 feet;
7. North $26^{\circ} 18' 47''$ East, 157.70 feet;
8. North $29^{\circ} 00' 34''$ East, 182.23 feet; thence leaving said Township Road 138 and going South $89^{\circ} 16' 56''$ West, 1353.62 feet to the place of beginning, having passed through an iron pin set at 19.92 feet, containing 18.748 acres, more or less, but being subject to all legal right-of-ways, easements, and restrictions of record and being part of the property described in Volume 153, Page 485 of the Deed Records of Noble County, Ohio.

This description was prepared by Robert C. Schell, R.S. No. 7314, from an actual field survey of the premises performed July 5, 2003.

Bearings are based on the West line of the West half of the Northeast quarter of Section 31 as being South $01^{\circ} 01' 09''$ Est and all bearings are for angle purposes only. Iron pins set are $5/8''$ rebar capped "Schell-7314". Parcel #07-21500.003

Excepting the following described premises:

Situated in the State of Ohio, County of Noble, Township of Center and being part of the Northwest quarter of the Northeast quarter of Section 31, Township 7 North, Range 8 West and being described as follows:

Beginning at a marked stone found at the Northwest corner of the Northeast quarter of said Section 31; thence along the West line of the Northeast quarter of said Section 31, South $01^{\circ} 01' 09''$ East, 714.73 feet to an iron pin found, having passed through iron pins found at 199.00 feet, 387.20 feet, and 559.88 feet, respectively; thence North $89^{\circ} 06' 31''$ East 130.00 feet to an iron pin set; thence North $33^{\circ} 35' 02''$ East, 750.01 feet to the center of Township Road 138, having passed through an iron pin set at 738.01 feet; thence along the center of said Township Road 138, North $41^{\circ} 22' 59''$ West, 124.93 feet; thence leaving said Township Road 138 and going along the North line of the Northeast quarter of said Section 31, South $89^{\circ} 16' 56''$ West, 475.02 feet to the place of beginning, having passed through an iron pin set at 12.00 feet, and containing 6.000 acres, more or less, but being subject to all legal rights-of-way, easements, and restrictions of record and being part of the property described in Volume 103, Page 307 of the Official Records of Noble County, Ohio.

This description was prepared by Robert C. Schell, R.S. No. 7314, from an actual field survey of the premises performed January 8, 2005. Bearings are based on the West line of the Northwest quarter of the Northeast quarter of Section 31 as being South $01^{\circ} 01' 09''$ East and all bearings are for angle purposes only. Iron pins set are $5/8''$ rebar capped "Schell-7314".

As being described in Deed Record 121, Page 26
Being known as parcel number: 07-0021500.003
Assessed acreage- 12.748
Agreement Number- 218908000