

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tract 28 **(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 #28
Stock 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 #34-0021357.000 (.50 acres – Section 27 – Stock Township)

Valuation:	Land	190	½ year tax: \$2.78
	Buildings	0	
	Total	190	

Parcel #34-0021417.000 (40 acres – Section 27 – Stock Township)

Valuation:	Land	14700	½ year tax: \$215.38 + \$3.00 assessment
	Buildings	0	
	Total	14700	

Parcel #34-0021421.000 (12.83 acres – Section 27 – Stock Township)

Valuation:	Land	4710	½ year tax: \$69.00
	Buildings	0	
	Total	4710	

Parcel #34-0021481.000 (35 acres – Section 27 – Stock Township)

Valuation:	Land	12720	½ year tax: \$183.36
	Buildings	0	
	Total	12720	

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TAX INFORMATION – Continued:

Parcel #34-0021483.000 (40 acres – Section 27 – Stock Township)

Valuation:	Land	14550	½ year tax: \$213.17
	Buildings	0	
	Total	14550	

Parcel #34-0021484.000 (80.5 acres – Section 27 – Stock Township)

Valuation:	Land	29590	½ year tax: \$433.54
	Buildings	0	
	Total	29590	

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 Meter Site Agreement and pipeline right of way from DuPont Energy Coal Holdings, Inc. to Deer Creek, Inc. dated October 12, 1990 and recorded November 22, 1991 at Noble County Deed Record Volume 172, Page 162.
2. The premises are subject to an easement for a 30 foot electric line right of way from DuPont Energy Coal Holdings, now Reserve Coal Properties Co. to Washington Electric Cooperative, Inc. dated March 24, 2004 and recorded March 24, 2004 at Noble County Official Record Volume 110, Page 272.
3. 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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4. 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.

5. 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.

6. 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.

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.


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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 19th day of September, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 28

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Exhibit "A"

Known as being a part of Section 27, Township 6, Range 7, to-wit: commencing at center of road, thence 50 feet to Lawrence Leasure line, thence South East to line between H.S. Archers and the said Lawrence Leasures, thence South West 2 rods to center of road, thence follows center of road to place of beginning, containing One-Half 1/2 acre, more or less. (Being apart of Southeast Quarter of the Northwest Quarter of said Section 27.)

As being described in Deed Record 114, Page 477 (Second Tract)

Being known as parcel number: 34-0021357.000

Assessed acreage-0.50

Agreement Number-218900000

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

Parcel C: Also another tract of land situated in Stock Township, Noble County, Ohio, and bounded and described as follows. The S. W. Quarter of the N. E. Quarter of Section 27, Township 6, Range 7, Containing Forty (40) acres, more or less.

As being described in Deed Record 114, Page 477 (First Tract, Parcel C)

Being known as parcel number: 34-0021417.000

Assessed acreage-40.00

Agreement Number-Unknown

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

Beginning for the same at the Northeast corner of said Southeast Quarter of the Northwest Quarter; Thence South 7° 00' West with the East line of said Quarter Quarter a distance of 1360.26 feet to the Southeast corner of said Quarter Quarter; thence North 83° 18' West with the South line of said Quarter Quarter a distance of 43.00 feet to a point in a Township Highway; thence with said highway and with lands formerly owned by C. B. Spence and H. S. Archer the following seven (7) courses: North 22° 07' West a distance of 129.11 feet; North 11° 44' West a distance of 260.45 feet; North 7° 01' West a distance of 65.49 feet; North 23° 34' West a distance of 180.03 feet; North 27° 40' West a distance of 254.07 feet; North 36° 32' West a distance of 418.21 feet, and North 12° 01' West a distance of 281.38 feet to a point in the North line of said Quarter Quarter; thence South 83° 18' East with said North line a distance of 821.26 feet to the place of beginning, Containing 12.833 acres, more or less.

Being known as parcel number: 34-0021421.000

Assessed acreage-12.83

Agreement Number-Unknown

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

Being a part of the Northeast Quarter of the Northwest Quarter of Section 27, Township 6 and Range 7.

Beginning for the same at the North East corner of said Quarter Quarter; Thence South 1° 42' West with the East line of said Quarter Quarter a distance of 1346.14 feet to the South East corner of said Quarter Quarter; thence North 88° 20' West with the South line of said Quarter Quarter a distance of 822.04 feet to a point in a township highway; thence with said highway and with lands now or formerly owned by C. B. Spence the following five courses: North 20° 01' West a distance of 243.19 feet, North 25° 50' West a distance of 523.28 feet, North 32° 28' West a distance of 117.35 feet, North 22° 46' West a distance of 263.54 feet and North 6° 15' West a distance of 317.65 feet to a point in the North line of said Quarter Quarter; thence South 88° 31' East with said North line a distance of 1373.00 feet to the place of beginning, Containing 34.998 Acres, more or less.

As being described in Deed Record 115, Page 32 (First Tract)

Being known as parcel number: 34-0021481.000

Assessed acreage-35.00

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

Parcel A: Situated in Stock Township, Noble County, State of Ohio, being the N. W. Quarter of the N. E. Quarter of Section 27, Township 6, Range 7, Containing Forty Acres.

As being described in Deed Record 114, Page 477 (First Tract, Parcel A)
Being known as parcel number: 34-0021483.000
Assessed acreage-40.00
Agreement Number-218900000

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

Parcel A. Situate in Stock Township, Noble County, Ohio, the following described land: The N. E. Quarter of the N. E. Quarter of Section 27, Township 6, Range 7, Containing Forty (40) Acres, more or less.

Parcel B. Also the S. E. Quarter Section of the N. E. Quarter of said Section 27, Township 6, Range 7, Containing Forty and 50/100 (40-50/100) Acres, more or less.

Containing in said two tracts a total of 80.50 acres, more or less.

As being described in Deed Record 114, Page 477 (Third Tract, Parcels A & B)
Being known as parcel number: 34-0021484.000
Assessed acreage-80.50
Agreement Number-218900000