

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tracts 46, 47, 49, 50, 52 & 56
(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 #46, 47, 49, 50, 52 & 56
Marion & Seneca 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 #23-0021003.000 (99.54 acres – Section 3 – Marion Township)

Valuation:	Land	36580	½ year tax: \$545.15
	Buildings	0	
	Total	36580	

Parcel #23-0021356.000 (41.369 acres – Section 14 – Marion Township)

Valuation:	Land	15200	½ year tax: \$226.52
	Buildings	0	
	Total	15200	

Parcel #23-0021357.000 (20 acres – Section 14 – Marion Township)

Valuation:	Land	7350	½ year tax: \$109.54
	Buildings	0	
	Total	7350	

Parcel #23-0021358.000 (8.048 acres – Section 14 – Marion Township)

Valuation:	Land	2520	½ year tax: \$37.56
	Buildings	0	
	Total	2520	

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TAX INFORMATION – Continued:

Parcel #23-0021386.000 (8 acres – Section 11 – Marion Township)

Valuation:	Land	2940	½ year tax: \$43.81
	Buildings	0	
	Total	2940	

Parcel #23-0021388.000 (80 acres – Section 15 – Marion Township)

Valuation:	Land	32650	½ year tax: \$660.79
	Buildings	11690	
	Total	44340	

Parcel #23-0021389.000 (80 acres – Section 15 – Marion Township)

Valuation:	Land	28950	½ year tax: \$477.64
	Buildings	3100	
	Total	32050	

Parcel #23-0021391.000 (80 acres – Section 15 – Marion Township)

Valuation:	Land	29400	½ year tax: \$438.15
	Buildings	0	
	Total	29400	

Parcel #23-0021392.000 (80 acres – Section 10 – Marion Township)

Valuation:	Land	28930	½ year tax: \$431.14
	Buildings	0	
	Total	28930	

Parcel #23-0021395.000 (10.029 acres – Section 10 – Marion Township)

Valuation:	Land	3680	½ year tax: \$54.85
	Buildings	0	
	Total	3680	

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TAX INFORMATION - Continued:

Parcel #23-0021395.001 (24.712 acres – Section 10 – Marion Township)

Valuation:	Land	9080	½ year tax: \$135.32
	Buildings	0	
	Total	9080	

Parcel #23-0021395.002 (9.18 acres – Section 10 – Marion Township)

Valuation:	Land	6500	½ year tax: \$106.25 + \$3.00 assessment
	Buildings	630	
	Total	7130	

Parcel #23-0021395.003 (12.001 acres – Section 10 – Marion Township)

Valuation:	Land	4410	½ year tax: \$65.72
	Buildings	0	
	Total	4410	

Parcel #23-0021395.004 (11.074 acres – Section 10 – Marion Township)

Valuation:	Land	4070	½ year tax: \$60.66
	Buildings	0	
	Total	4070	

Parcel #23-0021398.000 (41 acres – Section 10 – Marion Township)

Valuation:	Land	14750	½ year tax: \$219.82
	Buildings	0	
	Total	14750	

Parcel #23-0021399.000 (59 acres – Section 3 – Marion Township)

Valuation:	Land	21530	½ year tax: \$320.86
	Buildings	0	
	Total	21530	

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TAX INFORMATION – Continued:

Parcel #23-0021400.000 (115 acres – Section 10 – Marion Township)

Valuation:	Land	45950	½ year tax: \$684.78
	Buildings	0	
	Total	45950	

Parcel #23-0021401.000 (8.5 acres – Section 10 – Marion Township)

Valuation:	Land	3110	½ year tax: \$46.35
	Buildings	0	
	Total	3110	

Parcel #23-0021402.000 (39 acres – Section 10 – Marion Township)

Valuation:	Land	14330	½ year tax: \$213.56
	Buildings	0	
	Total	14330	

Parcel #23-0021403.000 (72.46 acres – Section 10 – Marion Township)

Valuation:	Land	26340	½ year tax: \$392.54
	Buildings	0	
	Total	26340	

Parcel #23-0021404.000 (20 acres – Section 10 – Marion Township)

Valuation:	Land	7300	½ year tax: \$108.79 + \$3.00 assessment
	Buildings	0	
	Total	7300	

Parcel #23-0021405.000 (20 acres – Section 10 – Marion Township)

Valuation:	Land	7350	½ year tax: \$109.54
	Buildings	0	
	Total	7350	

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TAX INFORMATION – Continued:

Parcel #23-0021406.000 (20 acres – Section 10 – Marion Township)

Valuation:	Land	7350	½ year tax: \$109.54
	Buildings	0	
	Total	7350	

Parcel #23-0021407.000 (30 acres – Section 3 – Marion Township)

Valuation:	Land	11030	½ year tax: \$164.38
	Buildings	0	
	Total	11030	

Parcel #23-0021408.000 (80 acres – Section 10 – Marion Township)

Valuation:	Land	29400	½ year tax: \$438.15
	Buildings	0	
	Total	29400	

Parcel #23-0021486.000 (20 acres – Section 10 – Marion Township)

Valuation:	Land	7350	½ year tax: \$109.54
	Buildings	0	
	Total	7350	

Parcel #23-0051006.000 (194.509 acres – Section 3 – Marion Township)

Valuation:	Land	70440	½ year tax: \$1,049.76
	Buildings	0	
	Total	70440	

Parcel #31-0021044.000 (50 acres – Section 34 – Seneca Township)

Valuation:	Land	21000	½ year tax: \$307.68
	Buildings	0	
	Total	21000	

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TAX INFORMATION – Continued:

Parcel #31-0021045.000 (3.5 acres – Section 34 – Seneca Township)

Valuation:	Land	1470	½ year tax: \$21.54
	Buildings	0	
	Total	1470	

Parcel #31-0021046.000 (66.5 acres – Section 34 – Seneca Township)

Valuation:	Land	27930	½ year tax: \$409.22
	Buildings	0	
	Total	27930	

Parcel #31-0021047.000 (70 acres – Section 34 – Seneca Township)

Valuation:	Land	29400	½ year tax: \$430.76
	Buildings	0	
	Total	29400	

Parcel #31-0021049.000 (90.8 acres – Section 34 – Seneca Township)

Valuation:	Land	38140	½ year tax: \$558.81
	Buildings	0	
	Total	38140	

Parcel #31-0021050.000 (77.4 acres – Section 35 – Seneca Township)

Valuation:	Land	32510	½ year tax: \$476.32
	Buildings	0	
	Total	32150	

Parcel #31-0021051.000 (40 acres – Section 34 – Seneca Township)

Valuation:	Land	16610	½ year tax: \$243.36
	Buildings	0	
	Total	16610	

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TAX INFORMATION – Continued:

Parcel #31-0021053.000 (14.5 acres – Section 27 – Seneca Township)

Valuation:	Land	5730	½ year tax: \$83.95
	Buildings	0	
	Total	5730	

Parcel #31-0021061.000 (40 acres – Section 34 – Seneca Township)

Valuation:	Land	16650	½ year tax: \$243.94
	Buildings	0	
	Total	16650	

Parcel #31-0021074.000 (25 acres – Section 35 – Seneca Township)

Valuation:	Land	10500	½ year tax: \$153.84
	Buildings	0	
	Total	10500	

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 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 pipeline right of way for the construction and installation of pipe lines from Reserve Coal Properties Company to Ohio Wilderness Boys Camp dated June 18, 2013 and recorded September 11, 2013 at Noble County Official Record Volume 230, Page 877.

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4. The premises are subject to a right of way and easement for electric and other current/future energy or communication purposes from CNX RCPC, LLC to Ohio Power Company dated February 5, 2014 and recorded April 24, 2014 at Noble County Official Record Volume 246, Page 88.
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 a 50 foot pipeline right of way from CNX RCPC LLC to Ohio River Valley Pipeline, LLC dated April 17, 2015 and recorded August 5, 2015 at Noble County Official Record Volume 270, Page 11.
7. The premises are subject to a power line right of way for electric and other current/future energy or communication purposes from CNX RCPC, LLC to Washington Electric Cooperative, Inc. dated August 19, 2015 and recorded September 28, 2015 at Noble County Official Record Volume 272, Page 182.
8. 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.
9. 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.
10. The premises are subject to a memorandum of water pipeline 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 600.
11. The premises are subject to a Memorandum of water pipeline, power and communication line, tank and impoundment, surface equipment 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 610.
12. 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.

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13. The premises are subject to power line right of way from CNX Land LLC to Ohio Power Company dated April 27, 2018 and recorded August 3, 2018 at Official Record Volume 314, Page 679.

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 an oil and gas lease from Dewey L. Reeves and Jenny L. Reeves to D. & H. Oil Company dated January 17, 1980 and recorded February 19, 1980 in Noble County Lease Volume 85, Page 223. Said lease covers 90 acres and is for a primary term of 2 years and as long thereafter as oil or gas is produced in paying quantities.
3. 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.

Examiners Note: The Surface Only, together with such mining rights as Grantor owns and has the right to covey in connection with the Number Nine (#9) vein or seam of coal, in, on and under 15.731 acres out of Parcel #23-0021356.000 and 31.952 acres out of Parcel #23-0021358.000 were conveyed by Reserve Coal Properties Company to B & N Coal, Inc. in Official Record Volume 202, Page 408 for a term of twenty (20) years from April 29, 2009. A copy of which is attached as Exhibit "B".

LIENS:

No liens of record.

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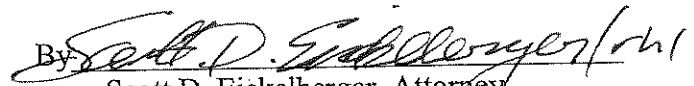
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I am an attorney qualified to practice in the State of Ohio and I certify that, as of 8:00 a.m. on the date of this Certificate, CNX Land LLC's, interest in and to real estate described at Exhibit "A" is free and clear of liens and encumbrances of 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 5th day of September, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tracts 46, 47, 49, 50, 52 & 56

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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:

PARCEL A: Situate in the County of Noble and State of Ohio and in the District of land subject to sale at Zanesville, Ohio, and bounded and described as follows, to-wit: The northeast quarter of the Southwest Quarter of Section number three (3) in Township number seven (7) of Range eight (8) containing thirty-nine acres and sixty-two hundredths of an acre (39.62).

Also forty-nine acres and twenty-five hundredths of an acre (49.25) in the north end of the West half of the Southwest Quarter of Section number three (3) of Township number seven (7) of Range eight (8).

Also twenty (20) acres bounded and described as follows, commencing at the northwest corner of the northwest quarter of the Southeast Quarter of Section number three (3) of Township number seven (7) of Range eight (8), thence South one (1) degree west eighty and seventy hundredths rods (80.70) to the southwest corner of the above named quarter, thence south eighty-nine degrees (89) east forty (40) rods to a stone, thence north one (1) degree east seventy-nine and eighty hundredths rods (79.80) to the north line of the above named quarter, thence north eighty-eight degrees (88) west forty rods (40) to the place of beginning.

The above three parcels containing one hundred eight (108) acres, more or less.

Excepting and reserving the following described tract of land:

And being a part of the Southwest Quarter of Section 3, Township 7 and Range 8.

BEGINNING at the Northwest corner of the above mentioned Quarter Section: THENCE South $87^{\circ} 17'$ East with the North line of said Quarter a distance of 1329.15 feet to a point in the centerline of State Route No. 146; thence with said centerline the following four courses: South $81^{\circ} 40'$ West a distance of 162.79 feet; South $71^{\circ} 29'$ West a distance of 214.09 feet; South $63^{\circ} 14'$ West a distance of 501.78 feet and South $66^{\circ} 46'$ West a distance of 563.41 feet to the West line of the above mentioned Quarter; thence North $0^{\circ} 12'$ East with said West line a distance of 602.95 feet to the place of beginning, CONTAINING 8.464 Acres, More or less.

As being described in Deed Record 116, Page 584.

Leaving a total acreage in said tract of 99.54 acres, more or less

As being described in Deed Record 105, Page 337 (Parcel A)

Being known as parcel number: 23-0021003.000

Assessed acreage- 99.54

Agreement Number- 218905000

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

Tract 4: Situated in the State of Ohio, County of Noble and Township of Marion and being the southwest quarter of the northwest quarter of said Section 14, Township 7 of Range 8, and also the south half of the northwest quarter of the northwest quarter of said Section 14, Township 7 of Range 8, containing sixty (60) acres, more or less, and described on the tax maps of Noble County, Ohio, as containing sixty-two (62) acres.

Excepting and reserving the following described tract of land:

Situated in Marion Township, Noble County, Ohio and being 47.683 Acres more or less in the South Half of the Northwest quarter of Section #14, Township #7 North, Range #8 West in the Congress Lands East of the Scioto River Survey and being more particularly described as follows:

BEGINNING at a stone found at the Southwest corner of the Northwest quarter of said Section #14, Thence with the west line of said Northwest quarter and the east line of lands now or formerly DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466 N 00° 12' 25"E a distance of 359.67 feet to a point in the center of Doshie Road (County Road 6), having passed through an iron pin set at 334.67 feet, Thence with the center of Doshie Road and a new division line through the lands of now or formerly DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466 the following four (4) calls:

1. N76°56'57"E a distance of 120.80 feet to a spike nail set,
2. N78°21'19"E a distance of 148.14 feet to a spike nail set,
3. N79°27'56"E a distance of 256.96 feet to a spike nail set,
4. N80°25'37"E a distance of 393.80 feet to a spike nail set at the Southwest corner of a 2.90 acres tract now or formerly owned by Danny L. Bates as found in Official Record Book 23, Page 602. Thence continuing with the center of Doshie Road and the south line of said 2.90 acres the following two (2) calls:

1. N79°23'14"E a distance of 196.36 feet to a spike nail set,
2. N76°30'31"E a distance of 263.19 feet to a spike nail set,

Thence continuing with the center of said Doshie Road and a new division line the following six (6) calls:

1. N78°44'23"E a distance of 293.07 feet to a spike nail set,
2. N74°48'14"E a distance of 77.73 feet to a spike nail set,
3. N66°35'05"E a distance of 68.61 feet to a spike nail set,
4. N53°57'29"E a distance of 93.06 feet to a spike nail set,
5. N44°23'37"E a distance of 72.67 feet to a spike nail set,

6.N42°09'57"E a distance of 651.33 feet to a point on the north line of the Southeast quarter of the Northwest quarter of said Section #14, Thence with the north line of said quarter-quarter and the lands of now or formerly David L. Friday as found in Deed Volume 134, Page 689 N89°49'30"E a distance of 390.69 feet to an iron pin set at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section #14 having passed through an iron pin set at 30.00 feet, Thence with the east line of said quarter quarter and continuing with said David L. Friday lands S00°49'20"E a distance of 1342.43 feet to an iron pin set at the Southeast corner of the Northwest corner of Section #14, Thence with the south line of said Northwest quarter and the north line of lands now or formerly Jeffrey Lee and Sharon Christian Steese as found in Official Record Book 33, Page 684 N89°35'24"W a distance of 2752.67 feet to the beginning and containing 47.683 acres more or less of which *15.731 acres are out of Auditor Parcel No. 23-0021356.000* and 31.952 acres are out of Auditor Parcel No. 23-0021358.000. As being described in Deed Book 202, Page 408.

Leaving a total acreage in said tract of 41.369 acres, more or less

As being described in Deed Record 128, Page 790 (Tract 4)

Being known as parcel number: 23-0021356.000

Assessed acreage-41.369

Agreement Number- 218905000

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

Being the north half of the northwest quarter of the northwest quarter of Section 14, Township 7 of Range 8, CONTAINING 20 acres, more or less.

As being described in Deed Record 148, Page 558 (Tract 3)

Being known as parcel number: 23-0021357.000

Assessed acreage-20.00

Agreement Number- 218905000

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

Tract 1: Being the east half of the south half of the northwest quarter of Section 14, Township 7 of Range 8, CONTAINING 40 acres, more or less.

Excepting and reserving the following described tract of land:

Situated in Marion Township, Noble County, Ohio and being 47.683 Acres more or less in the South Half of the Northwest quarter of Section #14, Township #7 North, Range #8 West in the Congress Lands East of the Scioto River Survey and being more particularly described as follows:

BEGINNING at a stone found at the Southwest corner of the Northwest quarter of said Section #14, Thence with the west line of said Northwest quarter and the east line of lands now or formerly DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466 N 00° 12' 25"E a distance of 359.67 feet to a point in the center of Doshie Road (County Road 6), having passed through an iron pin set at 334.67 feet, Thence with the center of Doshie Road and a new division line through the lands of now or formerly DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466 the following four (4) calls:

1. N76°56'57"E a distance of 120.80 feet to a spike nail set,
2. N78°21'19"E a distance of 148.14 feet to a spike nail set,
3. N79°27'56"E a distance of 256.96 feet to a spike nail set,
4. N80°25'37"E a distance of 393.80 feet to a spike nail set at the Southwest

corner of a 2.90 acres tract now or formerly owned by Danny L. Bates as found in Official Record Book 23, Page 602. Thence continuing with the center of Doshie Road and the south line of said 2.90 acres the following two (2) calls:

1. N79°23'14"E a distance of 196.36 feet to a spike nail set,
2. N76°30'31"E a distance of 263.19 feet to a spike nail set,

Thence continuing with the center of said Doshie Road and a new division line the following six (6) calls:

1. N78°44'23"E a distance of 293.07 feet to a spike nail set,
2. N74°48'14"E a distance of 77.73 feet to a spike nail set,
3. N66°35'05"E a distance of 68.61 feet to a spike nail set,
4. N53°57'29"E a distance of 93.06 feet to a spike nail set,
5. N44°23'37"E a distance of 72.67 feet to a spike nail set,
6. N42°09'57"E a distance of 651.33 feet to a point on the north line of the

Southeast quarter of the Northwest quarter of said Section #14, Thence with the north line of said quarter-quarter and the lands of now or formerly David L. Friday as found in Deed Volume 134, Page 689 N89°49'30"E a distance of 390.69 feet to an iron pin set at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section #14 having passed through an iron pin set at 30.00 feet, Thence with the east line of said quarter-quarter and continuing with said David L. Friday lands S00°49'20"E a distance of 1342.43 feet to an iron pin

set at the Southeast corner of the Northwest corner of Section #14, Thence with the south line of said Northwest quarter and the north line of lands now or formerly Jeffrey Lee and Sharon Christian Steese as found in Official Record Book 33, Page 684 N89°35'24"W a distance of 2752.67 feet to the beginning and containing 47.683 acres more or less of which 15.731 acres are out of Auditor Parcel No. 23-0021356.000 and 31.952 acres are out of Auditor Parcel No. 23-0021358.000.

As being described in Deed Book 202, Page 408.

Leaving a total acreage in said tract of 8.048 acres, more or less.

As being described in Deed Record 148, Page 558 (Tract 1)

Being known as parcel number: 23-0021358 000

Assessed acreage- 8.048

Agreement Number- 218905000

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 southwest quarter of the southwest quarter of Section 11, Township 7 of Range 8 and bounded as follows: Beginning for the same at the southwest corner of the southwest quarter of said Section 11, Township and Range aforesaid; thence east along the south line of said Section 80 rods to the quarter quarter post; thence north 22 rods to a stake; thence in a southwesterly direction to a stake on the west line of said Section 11, ten rods north of the southwest corner of said section; thence south to the place of beginning, CONTAINING 8 acres, more or less.

As being described in Deed Record 148, Page 558 (Tract 2)

Being known as parcel number: 23-0021386.000

Assessed acreage-8.0

Agreement Number- 218905000

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 County of Noble in the State of Ohio and in the Township of Marion and bounded and described as follows:
Being the South half of the Northeast Quarter of Section 15, Township 7 of Range 8, CONTAINING 80 acres, more or less.

As being described in Deed Record 148, Page 547

Being known as parcel number: 23-0021388.000

Assessed acreage- 80.00

Agreement Number- 218905000

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 State of Ohio, County of Noble and Township of Marion and being the North half of the Northeast quarter of Section 15, Township 7, Range 8, and the South half of the Southeast quarter of Section 10, Township 7, Range 8, CONTAINING One Hundred Sixty (160) acres, more or less.

As being described in Deed Record 134, Page 38
Being known as parcel number: 23-0021389.000 & 23-0021392.000
Assessed acreage- 80.00 & 80.00
Agreement Number- 218905000

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

Parcel Three. Being known as the North half of the Northwest quarter of section fifteen (15), township seven (7) range eight (8), containing eighty acres, more or less.

As being described in Deed Record 127, Page 344(Parcel 3)
Being known as parcel number: 23-0021391.000
Assessed acreage-80.00
Agreement Number- 218905000

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 State of Ohio, County of Noble, Township of Marion, being the northeast quarter of Section 10, Range 8 West, Township 7 North, of "The Congress Lands East of The Scioto River", and being bounded and described as follows:

Beginning at a 5/8" iron pin found capped "Schell 7314" at the northeast corner of Section 10 and the northwest quarter of Section 11 (Note: Reference bearing on the west line of the northwest quarter of Section 11 and the east line of the northeast quarter of Section 10 used as South 02°08'35" West.);

Thence, from said Point of Beginning and running with the west line of Section 11 and the east line of Section 10, South 02°08'35" West a distance of 340.00 feet to an iron pin set, passing over the centerline of County Road No. 4 at a distance of plus 225.86 feet;

Thence, leaving the section line, North 87°02'06" West a distance of 1,278.23 feet to an iron pin set in the west line of the east half of the northeast quarter of Section 10, passing over the centerline of County Road No. 4 at a distance of plus 14.83 feet and passing through two iron pins set at distances of plus 44.83 feet and plus 144.83 feet, respectively;

Thence, with the quarter-quarter section line, North 03°01'36" East a distance of 345.00 feet to a 5/8" iron pin found capped "Schell 7314" at the northwest corner of the east half of the northeast quarter of Section 10;

Thence, with the north line of Section 10, South 86°48'30" East a distance of 1,273.00 feet to The Point of Beginning;

Containing 10.029 acres, more or less, being a new split out of Parcel No. 23-21395.000.

As being described in Deed Record 127, Page 98
Being known as parcel number: 23-0021395.000
Assessed acreage-10.03
Agreement Number-218913000

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 State of Ohio, County of Noble, Township of Marion, being in the northeast quarter of Section 10, Range 8 West, Township 7 North, of "The Congress Lands East of The Scioto River", and being bounded and described as follows:

Commencing for reference at a 5/8" iron pin found capped "Schell 7314" at the northeast corner of Section 10 and the northwest quarter of Section 11 (Note: Reference bearing on the west line of the northwest quarter of Section 11 and the east line of the northeast quarter of Section 10 used as South 02°08'35" West.);

Thence, with the north line of Section 10, North 86°48'30" West a distance of 1,273.00 feet to a 5/8" iron pin found capped "Schell 7314" at the northwest corner of the east half of the northeast quarter of Section 10;

Thence, with the quarter-quarter section line, South 03°01'36" West a distance of 1,551.00 feet to an iron pin set, being **THE TRUE POINT OF BEGINNING** for this description;

Thence, from said Point of Beginning and leaving the quarter-quarter section line, North 88°24'44" East a distance of 930.52 feet to an iron pin set, passing through an iron pin set at a distance of plus 797.09 feet;

Thence North 20°36'51" East a distance of 85.00 feet to an iron pin set on the south side of an existing driveway;

Thence, running along the south side of said existing driveway, the following two courses:

(1) South 69°23'09" East a distance of 188.21 feet to an iron pin set;

(2) Thence South 85°55'40" East a distance of 110.00 feet to a point in the centerline of County Road No. 4, passing through an iron pin set at a distance of plus 80.00 feet;

Thence, with the centerline of County Road No. 4, South 01°16'35" East a distance of 884.76 feet to a point in the east line of Section 10 at the northeast corner of a 9 acres tract as conveyed to Patricia Beiser Milliken and Richard S. Beiser by Tract Two of Deed Volume 166, Page 313 of the Noble County Recorder's Office;

Thence, leaving the road with the north line of said Milliken property, North $86^{\circ}58'50''$ West a distance of 1,308.97 feet to a $5/8''$ iron pin found capped "Schell 7314" in the west line of the east half of the northeast quarter of Section 10, passing through another Schell iron pin found at a distance of plus 25.22 feet and passing through an iron pin set at a distance of plus 271.14 feet, respectively;

Thence, with the quarter-quarter section line, North $03^{\circ}01'36''$ East a distance of 785.42 feet to The Point of Beginning;

Containing 24.712 acres, more or less, being a new split out of Parcel No. 23-21395.000.

As being described in Deed Record 127, Page 98
Being known as parcel number: 23-0021395.001
Assessed acreage- 24.71
Agreement Number- 218913000

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 State of Ohio, County of Noble, and Township of Marion, being in the northeast quarter of Section 10, Range 8 West, Township 7 North, of "The Congress Lands East of The Scioto River", and being bounded and described as follows:

Commencing for reference at a $5/8''$ iron pin found capped "Schell 7314" at the northeast corner of Section 10 and the northwest quarter of Section 11 (Note: Reference bearing on the west line of the northwest quarter of Section 11 and the east line of the northeast quarter of Section 10 used as South $02^{\circ}08'35''$ West.);

Thence, with the north line of Section 10, North $86^{\circ}48'30''$ West a distance of 1,273.00 feet to a $5/8''$ iron pin found capped "Schell 7314" at the northwest corner of the east half of the northeast quarter of Section 10;

Thence, with the quarter-quarter section line, South $03^{\circ}01'36''$ West a distance of 1,196.00 feet to an iron pin set, being **THE TRUE POINT OF BEGINNING** for this description;

Thence, from said Point of Beginning and leaving the quarter-quarter section line, South $89^{\circ}53'08''$ East a distance of 1,180.74 feet to a point in the centerline of County Road No. 4, passing through two iron pins set at distances of plus 1,050.74 feet and plus 1,150.74 feet, respectively;

Thence, with the centerline of County Road No. 4, the following two courses:

(1) South $09^{\circ}30'55''$ East a distance of 274.45 feet to a point;

(2) Thence South $01^{\circ}16'35''$ East a distance of 50.22 feet to a point;

Thence, leaving the road and running along the south side of an existing driveway, the following two courses:

(1) North $85^{\circ}55'40''$ West a distance of 110.00 feet to an iron pin set, passing through an iron pin set at a distance of plus 30.00 feet;

(2) Thence North $69^{\circ}23'09''$ West a distance of 188.21 feet to an iron pin set;

Thence, leaving the south side of said existing driveway, South $20^{\circ}36'51''$ West a distance of 85.00 feet to an iron pin set;

Thence South $88^{\circ}24'44''$ West a distance of 930.52 feet to an iron pin set in the west line of the east half of the northeast quarter of Section 10, passing through an iron pin set at a distance of plus 133.43 feet;

Thence, with the quarter-quarter section line, North $03^{\circ}01'36''$ East a distance of 355.00 feet to The Point of Beginning;

Containing 9.180 acres, more or less, being a new split out of Parcel No. 23-21395.000.

As being described in Deed Record 127, Page 98
Being known as parcel number: 23-0021395.002
Assessed acreage- 9.180
Agreement Number- 218913000

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 State of Ohio, County of Noble, Township of Marion, being in the northeast quarter of Section 10, Range 8 West, Township 7 North, of "The Congress Lands East of The Scioto River", and being bounded and described as follows:

Commencing for reference at a $5/8''$ iron pin found capped "Schell. 7314" at the northeast corner of Section 10 and the northwest quarter of Section 11 (Note: Reference bearing on the west line of the northwest quarter of Section 11 and the east line of the northeast quarter of Section 10 used as South $02^{\circ}08'35''$ West.);

Thence, with the north line of Section 10, North $86^{\circ}48'30''$ West a distance of 1,273.00 feet to a $5/8''$ iron pin found capped "Schell 7314" at the northwest corner of the east half of the northeast quarter of Section 10;

Thence, with the quarter-quarter section line, South $03^{\circ}01'36''$ West a distance of 715.00 feet to an iron pin set, being THE TRUE POINT OF BEGINNING for this description;

Thence, from said Point of Beginning and leaving the quarter-quarter section line, South $85^{\circ}49'02''$ East a distance of 1,232.67 feet to a point in the centerline of County Road No. 4, passing through two iron pins set at distances of plus 1,102.67 feet and plus 1,202.67 feet, respectively;

Thence, with the centerline of County Road No. 4, the following four courses:

- (1) South $16^{\circ}24'54''$ West a distance of 241.47 feet to a point;
- (2) Thence South $08^{\circ}29'16''$ West a distance of 77.51 feet to a point;
- (3) Thence South $02^{\circ}29'43''$ East a distance of 68.77 feet to a point;
- (4) Thence South $09^{\circ}30'55''$ East a distance of 16.00 feet to a point;

Thence, leaving the road, North $89^{\circ}53'08''$ West a distance of 1,180.74 feet to an iron pin set in the west line of the east half of the northeast quarter of Section 10, passing through two iron pins set at distances of plus 30.00 feet and plus 130.00 feet, respectively;

Thence, with the quarter-quarter section line, North $03^{\circ}01'36''$ East a distance of 481.00 feet to The Point of Beginning;

Containing 12.001 acres, more or less, being a new split out of Parcel No. 23-21395.000.

As being described in Deed Record 127, Page 98
Being known as parcel number: 23-0021395.003
Assessed acreage- 12.001
Agreement Number- 218913000

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 State of Ohio, County of Noble, Township of Marion, being in the northeast quarter of Section 10, Range 8 West, Township 7 North, of "The

Congress Lands East of The Scioto River", and being bounded and described as follows:

Commencing for reference at a 5/8" iron pin found capped "Schell 7314" at the northwest corner of Section 10 and the northwest quarter of Section 11 (Note: Reference bearing on the west line of the northwest quarter of Section 11 and the east line of the northeast quarter of Section 10 used as South 02°08'35" West.);

Thence, with the north line of Section 10, North 86°48'30" West a distance of 1,273.00 feet to a 5/8" iron pin found capped "Schell 7314" at the northwest corner of the east half of the northeast quarter of Section 10;

Thence, with the quarter-quarter section line, South 03°01'36" West a distance of 345.00 feet to an iron pin set, being THE TRUE POINT OF BEGINNING for this description;

Thence, from said Point of Beginning and leaving the quarter-quarter section line, South 87°02'06" East a distance of 1,263.40 feet to a point in the centerline of County Road No. 4, passing through two iron pins set at distances of plus 1,133.40 feet and plus 1,233.40 feet, respectively;

Thence, with the centerline of County Road No. 4, the following four courses:

- (1) South 04°26'51" West a distance of 61.99 feet to a point;
- (2) Thence South 01°44'46" West a distance of 154.87 feet to a point;
- (3) Thence South 06°23'10" West a distance of 54.73 feet to a point;
- (4) Thence South 16°24'54" West a distance of 128.28 feet to a point;

Thence, leaving the road, North 85°49'02" West a distance of 1,232.67 feet to an iron pin set in the west line of the east half of the northeast quarter of Section 10, passing through two iron pins set at distances of plus 30.00 feet and plus 130.00 feet, respectively;

Thence, with the quarter-quarter section line, North 03°01'36" East a distance of 370.00 feet to The Point of Beginning;

Containing 11.074 acres, more or less, being a new split out of Parcel No. 23-21395.000.

As being described in Deed Record 127, Page 98
Being known as parcel number: 23-0021395.004
Assessed acreage- 11.07
Agreement Number- 218913000

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

Parcel C:

Situated in the above township, county and state and being described as follows:
The North half of the northeast quarter of the Northwest Quarter of Section ten (10), Township seven (7), Range eight (8); and also the north half of the northwest quarter of the Northeast Quarter of the same section, township and range, containing in all forty-one (41) acres, more or less.

As being described in Deed Record 105, Page 337 (Parcel C)
Being known as parcel number: 23-0021398
Assessed acreage- 41.00
Agreement Number- 218905000

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

Parcel B:

Situated in the above township, county and state and being described as follows:
The southeast quarter of the Southwest Quarter of Section three (3), Township seven (7), Range eight (8); also the west half of the southwest quarter of the Southeast Quarter of the same section, containing in both above tracts fifty-nine (59) acres, more or less.

As being described in Deed Record 105, Page 337 (Parcel B)
Being known as parcel number: 23-0021399.000
Assessed acreage- 59.00
Agreement Number- 218905000

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, to-wit: The East half of the Northwest quarter and the West half of the Northeast quarter of Section Ten (10), Township Seven (7) of Range Eight (8), except forty-one acres out of the North side of said quarter section and deeded to John W. Gibson, containing in all One Hundred Fifteen (115) acres, more or less.

As being described in Deed Record 148, Page 723 (Tract 3)
Being known as parcel number: 23-0021400.000
Assessed acreage-115.00
Agreement Number- 218874000

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

Tract Two:

Situated in the Township of Marion, County of Noble and State of Ohio and being tract or fraction Number One (1) in the Northeast quarter of the Southwest quarter of Section 10, Township 7 of Range 8, CONTAINING 8.50 acres, more or less.

As being described in Deed Record 148, Page 654
Being known as parcel number: 23-0021401.000
Assessed acreage- 8.50
Agreement Number- 218905000

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

Tract Three:

Situated in the State of Ohio, County of Noble and Township of Marion and known as and being the Northwest Quarter of the Southwest Quarter of Section 10, Township 7 and Range 8 of Marion Township, CONTAINING 39 acres, more or less.

As being described in Deed Record 146, Page 829 (Tract 3)
Being known as parcel number: 23-0021402.000
Assessed acreage- 39.00
Agreement Number- 218905000

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

TRACT NO. 2: Also situated in said county, state and township, and being the South half of the Southeast quarter of the Southwest quarter of said Section 10, Township 7, of Range 8, containing Twenty (20) acres, more or less.

TRACT NO. 3: Also situated in said county, state and township, and being Fraction No. 3 in the North Half of the Southeast quarter of the Southwest Quarter of said Section 10, Township 7, of Range 8, containing 18.50 acres, more or less.

TRACT NO. 4: Also situated in County, State and Township, and being Fraction No. 2 in the Northeast quarter of the Southwest quarter of said Section 10, Township 7, of Range 8, containing 33 acres, more or less.

Said 3 tracts of land containing in all 72.46 acres, more or less.

As being described in Deed Record 113, Page 250
Being known as parcel number: 23-0021403.000
Assessed acreage- 72.46
Agreement Number- 218905000

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

Tract One:

Situated in the Township of Marion, County of Noble and State of Ohio and being the West half of the Northwest quarter of the Southeast quarter of Section 10, Township 7 of Range 8, CONTAINING 20 acres, more or less.

As being described in Deed Record 148, Page 654 (Tract 1)
Being known as parcel number: 23-0021404.000
Assessed acreage- 20.00
Agreement Number- 218905000

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

Parcel 1: Being the North Half of the South West Quarter of the South West Quarter of Section 10, Township 7, Range 8, CONTAINING 20 acres, more or less.

As being described in Deed Record 148, Page 656 (Parcel 1)
Being known as parcel number: 23-0021405.000
Assessed acreage- 20.00
Agreement Number- 218905000

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

Parcel 3:

The South Half of the Southwest Quarter of the Southwest Quarter of Section 10, Township 7, Range 8, CONTAINING 20 acres, more or less.

As being described in Deed Record 148, Page 656 (Parcel 3)
Being known as parcel number: 23-0021406.000
Assessed acreage- 20.00
Agreement Number- Unknown

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 Township of Marion, in the County of Noble and State of Ohio. Known as the west half of the northwest quarter of Section 10, Township 7, Range 8. ALSO thirty (30) acres off the south end of the southwest quarter of the southwest quarter of Section 3, Township and Range aforesaid, in all one hundred ten (110) acres, more or less.

As being described in Deed Record 148, Page 575
Being known as parcel number: 23-0021407.000 & 23-0021408.000
Assessed acreage- 30.00 & 80.00
Agreement Number- 218856000

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

TRACT NO. 2: Also situated in said county, state and township, and being the South half of the Southeast quarter of the Southwest quarter of said Section 10, Township 7, of Range 8, containing Twenty (20) acres, more or less.

As being described in Deed Record 113, Page 250
Being known as parcel number: 23-0021486.000
Assessed acreage- 20.00
Agreement Number- Unknown

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

Being a part of the East half of Section 3, Township 7 and Range 8.

Tract No. 1. Known as and being the Northeast quarter of said Section, but excepting therefrom the East half of the Northeast quarter of the Northeast quarter of said Section.

Tract No. 2. Known as and being the East half of the Southeast Quarter of said Section.

Tract No. 3. Known as and being the East half of the Southwest quarter of the Southeast quarter of said Section.

Tract No. 4. Known as and being the East half of the Northwest quarter of the Southeast quarter of said Section.

Containing in all said tracts herein described 257.00 acres, more or less.

Excepting and reserving the following described tract of land:

Situate in the State of Ohio, Noble County, Marion Township, Southeast Quarter of Section 3, T7N, R8W, Congress lands East of the Scioto River, and being part of a 157.00 acre parcel conveyed to DuPont Energy Coal Holdings, Inc. as

recorded in OR 165, Pg 466 recorded in the Noble County Recorder's office and being more particularly described as follows:

Beginning at the southeast corner of Section 3, said corner being a 5/8" rebar found capped "Schell 7314" also being the northeast corner of a 10.290 acre parcel conveyed to Reserve Coal Properties recorded in Official Record 129, Page 790, the northwest corner of a 103.00 acre parcel conveyed to B&N Coal, INC. recorded in Official Record 202, Page 404, and the southwest corner of a 5.090 acre parcel conveyed to B&N Coal, Inc. recorded in Official Record 202, Page 404, said 5/8" rebar found being the Point of Beginning for the parcel herein described;

Thence from the Point of Beginning North 88° 15' 35" West 1273.00 feet along the grantor's south line, the south line of Section 3 the north line of said 10.290 acre parcel to an iron pin set on the quarter-quarter section line also being the northwest corner of said 10.290 acre parcel and northeast corner of a 41.000 acre parcel conveyed to CNX Gas Company recorded in Official Record 190, Page 31;

Thence North 00° 54' 01" East 2505.15 feet along the quarter-quarter section line to a Rail Road spike set in the centerline of State Route 146 being the east line of a 157.00 acre parcel conveyed to DuPont Energy Coal Holdings recorded in Official Record 165, Page 466, passing an iron pin set at 275.67 feet, 375.67 feet and 2455.15 feet;

Thence along the centerline of said State Route 146 the following five courses:

1. South 49 degrees 21 minutes 31 seconds East 409.49 feet to a point;
2. Along a curve to the left 86.61 feet having a radius of 400.00 feet, a delta of 12 degrees 00 minutes 24 seconds and a chord bearing of South 55 degrees 33 minutes 41 seconds East 86.44 feet to a point;
3. South 61 degrees 45 minutes 51 seconds East 392.95 feet to a point;
4. Along a curve to the left 432.32 feet having a radius of 480.00 feet, a delta of 51 degrees 00 minutes 36 seconds and a chord bearing of South 87 degrees 33 minutes 59 seconds East 417.85 feet to a point;
5. North 66 degrees 37 minutes 53 seconds East 130.71 feet to a Rail Road spike set on the grantor's east line the east line of Section 3, the southwest corner of a 81.670 acre parcel conveyed to Darwin K. Carpenter recorded in Official Record 168, Page 934, and the northwest corner of a 149.810 acre parcel conveyed to B&N Coal, Inc. recorded in Official Record 202, Page 413;

Thence leaving said centerline of State Route 146 South 00 degrees 54 minutes 01 seconds West 2076.35 feet along the east line of Section 3, being the grantors east line and the west line of said 149.810 parcel and the west line of said 5.090 acre parcel to the Point of Beginning, passing an iron pin set at 50.00 feet, 239.48 feet, 1021.27 feet, 1363.80 feet and 1463.80 feet.

The above described parcel contains 62.491 acres more or less, and is contained in Auditors parcel number 23-51006.000 which presently contains 157.00 acres, as shown on the plat attached hereto and made a part hereof, but subject to all legal rights-of-way, easements, and Holdings, Inc. in Official Record 165, Page 466 of the Noble County Recorder's office. Dupont Energy Coal Holdings, Inc. changed its name in April 1992 to Dupech Inc. which in July 2002 merged with and into Reserve Coal Properties Company.

Leaving a total acreage in said tracts of 194.509 acres, more or less

As being described in Deed Record 104, Page 200
Being known as parcel number: 23-0051006.000
Assessed acreage- 194.509
Agreement Number- 218602000

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

Fractions 6 and 7, in Section 34, Township 8, Range 8 in said Seneca Township, Noble County, Ohio, containing Fifty (50) acres, more or less.

As being described in Deed Record 134, Page 346
Being known as parcel number: 31-0021044.000
Assessed acreage-50.00
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:

Being Fraction Number One (1) in Section 34, Township 8 of Range 8 containing three and one-half (3 ½) acres, more or less.

As being described in Deed Record 134, Page 346
Being known as parcel number: 31-0021045.000
Assessed acreage-3.50
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:

Known as the North West Quarter of the South East Quarter of Section Thirty-four (34), Township Eight (8), Range Eight (8); Also the North East Quarter of the Southwest Quarter of Section Thirty-four (34), Township Eight (8), Range Eight (8), excepting thirteen and on-half acres off the North side of the last described parcel; containing sixty-six and one half acres, more or less.

As being described in Deed Record 105, Page 530
Being known as parcel number: 31-0021046.000
Assessed acreage-66.50
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:

First Tract:

The South East Quarter of the North East Quarter of Section Number Thirty-four (34), Township Eight (8) of Range Eight (8), containing Forty (40) acres, more or less.

Also, the North East Quarter of the South East Quarter of said Section, Township and Range, except ten (10), acres, more or less, off the south side of said tract, leaving Thirty (30) acres, more or less.

Containing in all in said first tract seventy (70) acres, more or less.

As being described in Deed Record 105, Page 616 (First Tract)
Being known as parcel number: 31-0021047.000
Assessed acreage-70.00
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:

First Tract: Situate in the Southeast Quarter of Section 34, Township 8, Range 8, Seneca Township, Noble County, Ohio, Being bounded and described as follows:

Beginning at the Southeast corner of said Section 34; thence with the South line of said Section North eighty-five degrees forty-five minutes West (N. 85° 45' W.) with a line of lands now or formerly belonging to W.N. Ward and to Richard Cleary, two thousand six hundred forty (2640) feet to a corner common to Richard Cleary, Roberta Cleary and H.G. Riggs; thence North three degrees fifty-six minutes East (N. 3° 56' E.) with a line of lands now or formerly belonging to H.G. Riggs, one thousand three hundred twenty-six and 20/100 (1326.20) feet to a stake, common corner to H.G. Riggs and in a line of lands now or formerly belonging to Laura Miley, from which a post at the center of Section 34 bears North three degrees, fifty-six minutes, thirty seconds East (N. 3° 56' 30" E.) one thousand three hundred forty and 70/100 (1340.70) feet; thence South eighty-five degrees fifty-five minutes East (S. 85° 55' E.) with the line of said Miley, one thousand three hundred ten and 85/100 (1310.85) feet to a post; thence North seven degrees fifty-six minutes East (N. 7° 56' E.) with another line of said Miley, three hundred forty-four and 84/100 (344.84) feet to a post, corner to lands now or formerly belonging to Edna Morgan; thence South eighty-five degrees eight minutes East (S. 85° 8' E.) with a line of said Morgan one thousand three hundred nine and 39/100 (1309.39) feet to a post on the East line of said Section No. 34; thence with Section line South four degrees five minutes West (S. 4° 5' W.) with a line of said Morgan and line of Second Tract hereafter described, one thousand six hundred fifty-nine and 83/100 (1659.83) feet to the place of beginning containing 90.82 acres, more or less.

As being described in Deed Record 104, Page 450 (First Tract)
Being known as parcel number: 31-0021049.000
Assessed acreage-90.80
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:

Second Tract: Situate in the Southwest Quarter of Section 35, Township 8 and Range 8, Seneca Township, Noble County, Ohio, and bounded and described as follows, to-wit:

Beginning at the Southwest corner of said Section No. 35, and running thence with the West section line of Section No. 35, North four degrees five minutes East (N. 4° 5' E.) with a line of First Tract hereinabove described, one thousand three hundred twenty-six and 58/100 (1326.58) feet to a post, corner to lands now or formerly belonging to Edna Morgan thence South eighty-five degrees thirty-two minutes East (S. 85° 32' E.) with a line of said Morgan and line of lands now or formerly belonging to Charles Warner, two thousand six hundred seven and 4/100 (2607.04) feet to a point in the township road; thence along said road South four degrees five minutes West (S. 4° 5' W.) with another line of said Charles Warner and line of Roberta Cleary, eight hundred twenty-three and 65/100 (823.65) feet; thence South thirty-five degrees twenty-seven minutes West (S. 35° 27' W.) with a line of said Roberta Cleary, five hundred seventy-six and 42/100 (576.42) feet to a point on the South line of said Section 35, from which point a marked stone at the Southeast corner of the Southwest Quarter bears South eighty-five degrees forty-five minutes East (S. 85° 45' E.) three hundred thirty-three (333) feet; thence North eighty-five degrees forty-five minutes West (N. 85° 45' W.) with a line of Roberta Cleary and of W.N. Ward, two thousand three hundred seven (2307) feet to the place of beginning, containing 77.40 acres, more or less.

As being described in Deed Record 104, Page 450 (Second Tract)

Being known as parcel number: 31-0021050.000

Assessed acreage-77.40

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:

Being the Northeast Quarter of the Northwest Quarter of Section 34, Township 8 and Range 8, containing 40.00 acres, more or less.

As being described in Deed Record 105, Page 92

Being known as parcel number: 31-0021051.000

Assessed acreage-40.00

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. Beginning at a point on the South line of Section 27, from which a marked stone at the Southeast corner of the Southwest quarter of the Southeast quarter of said Section 27 bears South eighty-eight degrees six minutes East (S. 88° 6' E.) twelve hundred ninety-six and 79/100 (1296.79) feet; thence from said beginning point, following the Section line, same being a line of Tract No. 1 above, North eighty-eight degrees six minutes West (N. 88° 6' W.) thirteen hundred thirty-eight (1338) feet to a post, corner to lands now or formerly belonging to Blanche Williams and John Mendenhall; thence with a line of said Mendenhall, North one degree eighteen minutes East (N. 1° 18' E.) four hundred sixty-nine (469) feet to a marked stone, corner to lands now or formerly belonging to Josephus Groves; thence with two (2) lines of said Groves, South eighty-eight degrees twenty minutes East (S. 88° 20' E.) thirteen hundred three and 10/100 (1303.10) feet to a post; thence South two degrees fifty-four minutes East (S. 2° 54' E.) four hundred seventy-five and 95/100 (475.95) feet to the place of beginning, containing fourteen and 30/100 (14.30) acres, more or less.

As being described in Deed Record 105, Page 92 (Tract 2)

Being known as parcel number: 31-0021053.000

Assessed acreage-14.30

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. 3. Beginning at the point described as the beginning point of Tract No. 2 above, thence with a line of said Tract No. 2, North two degrees fifty-four minutes West (N. 2° 54' W.) one hundred sixty-eight and 30/100 (168.30) feet to a corner in line of lands of Josephus Groves; thence with two (2) lines of said Groves, South fifty-six degrees fifty-four minutes East (S. 56° 54' E.) sixty-six (66) feet; thence South twenty-four degrees no minutes East (S. 24° 00' E.) one hundred forty-eight and 43/100 (148.43) feet to a point on the South line of Section 27 and in line of Tract No. 1 above; thence with a line of said Tract No. 1, North eighty-eight degrees six minutes West (N. 88° 6' W.) one hundred seven and 25/100 (107.25) feet to the place of beginning, containing 27/100 (0.27) of an acre, more or less.

As being described in Deed Record 105, Page 92 (Tract 3)

Being known as parcel number: P/O 31-0021053.000

Assessed acreage- 0.27

Agreement Number-218905000

Auditor's New Parcel Number: 31-21312.000

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

Being the Northeast Quarter of the Northeast quarter of Section 34, Township 8, Range 8, Containing 40 acres, more or less.

As being described in Deed Record 148, Page 738

Being known as parcel number: 31-0021061.000

Assessed acreage-40.00

Agreement Number-218877000

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

Second Tract:

Situated in Section 35, Township 8, Range 8, Seneca Township, Noble County, Ohio and being more particularly bounded and described as follows, to wit:

Beginning at a stake on the West line of Section 35, said stake being located North four degrees five minutes East (N. 4° 5' E.) thirteen hundred twenty-six and 58/100 (1326.58) feet from the Southwest corner of said Section, and being a corner to lands now or formerly belonging to John W. Cleary Heirs, thence with the Section line and with a line of Tract Number 1 hereinabove described, North four degrees five minutes East (N. 4° 5' E.) thirteen hundred fourteen and 47/100 (1314.47) feet to a marked stone in line of Tract Number 1 and corner to lands now or formerly belonging to Myron Groves, thence with said Groves, South eighty-five degrees fifty-nine minutes East (S. 85° 59' E.) eight hundred three and 6/100 (803.06) feet to a post, corner to lands now or formerly belonging to Charles Warner, thence with said Warner, South three degrees thirty-five minutes West (S. 3° 35' W.) thirteen hundred twenty and 80/100 (1320.80) feet to a post, corner to said Warner and in line of lands of said Cleary Heirs, thence North eighty-five degrees thirty-three minutes West (N. 85° 33' W.) eight hundred fourteen and 83/100 (814.83) feet to the place of beginning, containing twenty-four and 47/100 (24.47) acres, more or less.

As being described in Deed Record 105, Page 616 (Second Tract)

Being known as parcel number: 31-0021074.000

Assessed acreage-25.00

Agreement Number-218900000

Exhibit "B"

Instrument 201200053910 OR Volume Page 202 408

RECEIPT# 39292

TRANSFERRED
Transfer Fee 1.00
Section 319.202 Complied With
In Amt. of 156.40
Date 4-23-12
JODY PARRISH-POLEN
Noble County Auditor
By Kathy Wiley

201200053910
Filed for Record in
NOBLE COUNTY, OHIO
PHYLLIS STRITZ, RECORDER
04-23-2012 At 02:53 PM.
WRNTY DEED 52.00
OR Volume 202 Page 408 - 412

201200053910
B & N COAL INC
PICKUP

LIMITED WARRANTY DEED
(Surface Only)

KNOW ALL MEN BY THESE PRESENTS, that

RESERVE COAL PROPERTIES COMPANY, a Delaware corporation,
with offices at 1000 Consol Energy Drive, Canonsburg, PA 15317-6506,
the **GRANTOR**,

for valuable consideration received, **GRANTS**, with limited warranty covenants, to

B & N COAL, INC., an Ohio corporation,
whose tax mailing address is P.O. Box 100, Dexter City, Ohio 45727,
the **GRANTEE**,

for a term of twenty (20) years from and after the execution date of this Limited Warranty Deed,

the following described premises (hereinafter "PREMISES"):

Being the
SURFACE ONLY,
together with such mining rights as Grantor owns and has the right to convey
in connection with the Number Nine (#9) vein or seam of coal,
in, on and underlying the following described premises:

See Attachment 1.

Prior Instrument Ref: D.V. 148, Page 558 (VanScyoc to Consol Coal Company)
(Consol Property #305-335)

AS ADDITIONAL CONSIDERATION FOR THIS CONVEYANCE, the GRANTEE covenants
and agrees with GRANTOR as follows:

1. GRANTEE, its successors and assigns, shall, at all times during the continuance of mining operations on the PREMISES, timely comply with all local, state and federal mining, reclamation and environmental laws and regulations then applicable.
2. In the event GRANTEE, its successors and assigns, conveys or transfers the PREMISES, or any part thereof, GRANTEE agrees that it shall notify GRANTOR, its successors or assigns, in writing, of such conveyance.
3. The fee ownership of the PREMISES shall revert to and vest in the GRANTOR, its successors and assigns, twenty (20) years from the execution date of this Limited Warranty Deed. Thereafter, the GRANTOR agrees to grant to GRANTEE such rights of entry as the GRANTEE may reasonably require to complete any remaining mining reclamation in full compliance with all local, state and federal reclamation and environmental laws and regulations then applicable.
4. GRANTEE shall hold GRANTOR, its successors and assigns, free, clear and harmless from any damages arising out of or because of any mining operations performed by GRANTEE, and GRANTEE further agrees to answer and defend any and all law suits instituted by third parties which might arise as a result of GRANTEE'S mining operations, and where required, to pay the costs and expenses thereof.

EXCEPTING AND RESERVING unto GRANTOR, all surface rights that GRANTOR deems reasonably necessary and convenient, for the purpose of exploring, drilling and operating for, producing, mining, removing and marketing all minerals, including but not limited to, all coal [except the Number Nine (#9) vein of coal], gas and oil, coalbed methane gas, and/or their constituents, by any methods of mining or extraction, whether now known or hereafter used, adopted or practiced, and the right to inject air, gas, water, brine and other substances from any source for drilling purposes into any subsurface strata formation, other than the workable Number Nine (#9) coal strata; PROVIDED, HOWEVER, that such rights herein retained shall be exercised in such manner so as not to unreasonably interfere with GRANTEE'S mining and removal of the Number Nine (#9) vein of coal.

By accepting this deed GRANTEE acknowledges that it has inspected the premises and is acquiring the same as a result of such inspection in its present condition and circumstance, and by accepting this deed and as a part of the consideration for this conveyance, GRANTEE covenants and agrees to assume any and all risks of the premises and GRANTEE, for itself, its successors and assigns, hereby expressly waives all rights relative to and releases the GRANTOR, its successors and assigns, from any and all liability, claims, demands, actions or causes of action, present or future, legal or equitable, of every kind, nature and description.

This conveyance is made UNDER AND SUBJECT to any and all exceptions, reservations, restrictions, easements, rights of way, highways, estates, covenants and conditions apparent on the premises or shown by instruments of record.

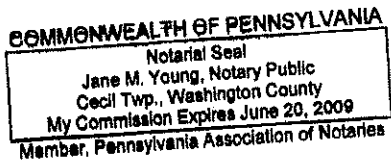
EXECUTED this 29 day of April, 2009, by RESERVE COAL PROPERTIES COMPANY, a Delaware corporation, by its duly authorized officer.

RESERVE COAL PROPERTIES COMPANY

By [Signature] Dennis R. McCracken Its Vice President

STATE OF PENNSYLVANIA COUNTY OF WASHINGTON, SS:

The foregoing instrument was acknowledged before me this 29 day of April, 2009, by Dennis R. Mc Cracken, as Vice President of Reserve Coal Properties Company, on behalf of the corporation.



[Signature] Notary Public

This Instrument Prepared By: GEOFFREY B. MOSSER, Esq. 232 South Main Street, P.O. Box 265 Cadiz, Ohio 43907 740-942-2127

**DEED DESCRIPTION
FOR
B & N COAL, INC.**

Attachment 1

Situated in Marion Township, Noble County, Ohio and being **47.683 Acres** more or less in the South Half of the Northwest quarter of Section #14, Township #7 North, Range #8 West in the Congress Lands East of the Scioto River Survey and being more particularly described as follows:

BEGINNING at a stone found at the Southwest corner of the Northwest quarter of said Section #14, Thence with the west line of said Northwest quarter and the east line of lands now or formerly DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466 N00°12'25"E a distance of 359.67 feet to a point in the center of Doshie Road (County Road 6), having passed through an iron pin set at 334.67 feet, Thence with the center of said Doshie Road and a new division line through the lands of now or formerly DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466 the following four (4) calls:

1. N76°56'57"E a distance of 120.80 feet to a spike nail set,
2. N78°21'19"E a distance of 148.14 feet to a spike nail set,
3. N79°27'56"E a distance of 256.96 feet to a spike nail set,
4. N80°25'37"E a distance of 393.80 feet to a spike nail set at the Southwest corner of a 2.90 acre tract now or formerly owned by Danny L. Bates as found in Official Record Book 23, Page 602, Thence continuing with the center of Doshie Road and the south line of said 2.90 acres the following two (2) calls:

1. N79°23'14"E a distance of 196.36 feet to a spike nail set,
 2. N76°30'31"E a distance of 263.19 feet to a spike nail set,
- Thence continuing with the center of said Doshie Road and a new division line the following six (6) calls:

1. N78°44'23"E a distance of 293.07 feet to a spike nail set,
2. N74°48'14"E a distance of 77.73 feet to a spike nail set,
3. N66°35'05"E a distance of 68.61 feet to a spike nail set,
4. N53°57'29"E a distance of 93.06 feet to a spike nail set,
5. N44°23'37"E a distance of 72.67 feet to a spike nail set,
6. N42°09'57"E a distance of 651.33 feet to a point on the north line of the Southeast quarter of the Northwest quarter of said Section #14, Thence with the north line of said quarter-quarter and the lands of now or formerly David L. Friday as found in Deed Volume 134, Page 689 N89°49'30"E a distance of 390.69 feet to an iron pin set at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section #14, having passed through an iron pin set at 30.00 feet, Thence with the east line of said quarter-quarter and continuing with said David L. Friday lands S00°49'20"E a distance of 1342.23 feet to an iron pin set at the Southeast corner of the Northwest quarter of said Section #14, Thence with the south line of said Northwest quarter and the north line of lands now or formerly Jeffrey Lee and Sharon Christian Steese as found in Official Record Book 33, Page 684 N89°35'24"W a distance of 2752.67 feet to the beginning and containing 47.683 acres more or less of which 15.731 acres are out of Auditor Parcel No. 23-0021356.000 and 31.952 acres are out of Auditor Parcel No. 23-0021358.000 and

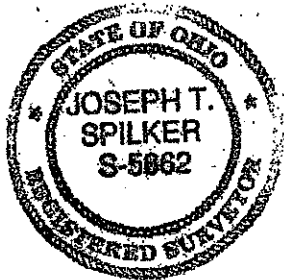
being a part of the property conveyed to DuPont Energy Coal Holdings, Inc. as found in Deed Volume 165, Page 466.

Subject to all easements or leases of public record.

Iron Pins set are 5/8 inch rebar 30 inches long capped SPILKER LS-5862.

Bearings in this description are for angle calculations only and are based on the west line of the Northwest quarter of Section #14 as being N00°12'25"E.

A Survey of the above described premises was made by Joseph T. Spilker, Registered Surveyor #S-5862 on December 2, 2009.



Joseph T. Spilker

TAX MAP CORRECTED

Parcel # 23-21356.000, 23-21358.000

Acreege Conveyed 15.731, 31.952 = 47.683

Acreege Remaining 41.369, 8.048

Mark J Eicher

Noble County Engineer