

*Cover page for:*

# **Preliminary Certificate of Title**

*Preliminary Certificate of Title prepared by:*

**Kincaid, Taylor & Geyer**

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## **Auction Tract 2**

**(Noble County, Ohio)**

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*For October 30, 2019 auction to be conducted by:*

**Schrader Real Estate and Auction Company, Inc.**

*On behalf of:*

**CNX Land, LLC**

## CERTIFICATE OF TITLE

**TO: CNX LAND LLC**  
Attention: Angela Kunkel  
CNX Center, 1000 Consol Energy Drive  
Canonsburg, PA 15317

**RE: Marketing Tract #2**  
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 #35-0021133.000 (78.81 acres – Section 3 – Stock Township)

Valuation:	Land	28610	½ year tax: \$530.54 + \$3.00 assessment
	Buildings	0	
	Total	28610	

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 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.

2. 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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**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.

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

KINCAID, TAYLOR & GEYER

By   
Scott D. Eickelberger, Attorney

KINCAID, TAYLOR  
& GEYER  
ATTORNEYS AT LAW

sde/CNX/Cert of Title Tract 2

50 NORTH FOURTH STREET  
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Exhibit "A"

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

Situated in the Southeast Quarter of Section 3, Township 6 and Range 8 being further described as:

Beginning for the description of said premises at a point on the South section line, said point bearing South eighty-six degrees thirty-six minutes West (S. 86° 36' W.) six hundred fifty-seven and 5/100 (657.05) feet from the Southeast corner of said section 3; thence from said beginning point North one degree thirty-five minutes West (N. 1° 35' W.) with a line of Elizabeth Ritterbeck one thousand three hundred forty-seven and 2/100 (1347.02) feet to a corner, and passing on said Ritterbeck line a stone at plus one and 3/100 (1.03) feet; thence North eighty-seven degrees fifteen minutes East (N. 87° 15' E.), with another line of said Ritterbeck, six hundred fifty-seven and 59/100 (657.59) feet to a point on the East line of said section and a corner between said Ritterbeck, I. H. Yeagle, and the grantor herein; thence North one degree thirty-five minutes West (N. 1° 35' W.) with a line of I. H. Yeagle one thousand three hundred thirty-three and 34/100 (1333.34) feet to a post in line of lands now or formerly owned by Beda Hill; thence leaving the section line South eighty-eight degrees three minutes West (S. 88° 3' W.) and with line of said Hill, two thousand five hundred seventy-two and 49/100 (2572.49) feet to a point in the public road; thence with said public road and line of said Hill South forty-four degrees one minutes East (S. 44° 1' E.), eight hundred sixty-five and 83/100 (865.83) feet to a point at the intersection of an old road; thence the three following lines with said Hill, North sixty-nine degrees thirty-six minutes West (N. 69° 36' W.) two hundred sixty-nine and 78/100 (269.78) feet; thence South seventy-nine degrees eleven minutes West (S. 79° 11' W.) one hundred fifty-nine and 84/100 (159.84) feet; thence South sixty-three degrees no minutes West (S. 63° 0' W.) two hundred ninety-two and 7/100 (292.07) feet to a post, a common corner to Beda Hill, lands now or formerly owned by Gerhardt Kress and the grantor herein; thence South one degree thirty-six minutes East (S. 1° 36' E.) with line of said Kress, two thousand fifty-one and 95/100 (2051.95) feet to a point, and passing on said Kress line an old stone at plus one thousand eight hundred eleven and 25/100 (1811.25) feet; thence with another line of said Kress North eighty-six degrees thirty-six minutes East (N. 86° 36' E.) two thousand three and 3/100 (2003.03) feet to the place of beginning, and passing on said Kress line a marked stone at plus one thousand six hundred sixty-seven and 10/100 (1667.10) feet, containing one hundred forty and 11/100 (140.11) acres, more or less.

***Excepting and reserving the following described tract of land:***

Being a part of the Southeast quarter of Section 3, Township 6 North, Range 8 West of the "Congress Lands East of the Scioto River" and bounded and described as follows:

Beginning at an iron pin set at the Northeast corner of the Southeast quarter of Section 3; thence along the East line of said Southeast quarter South 00 25' 30" West, 1333.34 feet to an iron pin set at the Northeast corner of a 20.50 acre tract now or formerly owned by Freda Ritterbeck by deed recorded in Volume 138, Page 535 of the deed records of Noble County, Ohio; thence along said 20.50 acres the following two (2) courses and distances:

1. North 64 48' 08" West, 213.48 feet to a railroad spike set;
2. North 61 09' 23" West 178.26 feet to a railroad spike set;
3. North 54 00' 07" West, 113.30 feet to a railroad spike set;
4. North 46 50' 45" West, 98.11 feet to a railroad spike set;
5. North 44 10' 13" West, 242.51 feet to a railroad spike set;
6. North 49 36' 29" West 152.71 feet to a railroad spike set;
7. North 53 13' 58" West, 654.47 feet to a railroad spike set;
8. North 41 36' 36" West, 865.83 feet to a railroad spike set on the North line of the Southeast quarter of said Section 3; thence along the North line of said Southeast quarter and the South line of a 187.00 acre tract now or formerly owned by B&N Coal, Inc. by deed recorded in Volume 164, Page 876 of the deed records of Noble County, Ohio 89° 51' 03" East, 2572.49 feet to the place of beginning, having passed through an iron pin set at 32.31 feet, and containing 60.300 acres more or less, and being apart of a 140.11 acre tract.

Leaving in said parcel after said exception 79.81 acres, more or less.

As being described in Official Record 72, Page 366

Being known as parcel number: 35-0021133.000

Assessed acreage-79.81

Agreement Number-218567000