

Cover page for:

Preliminary Certificate of Title

Preliminary Certificate of Title prepared by:

Kincaid, Taylor & Geyer

Auction Tract 60
(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 #60
Seneca 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 #31-0021097.000 (72 acres – Section 26 – Seneca Township)

Valuation:	Land	33730	½ year tax: \$539.77
	Buildings	3110	
	Total	36870	

Parcel #31-0021100.000 (21.72 acres – Section 26 – Seneca Township)

Valuation:	Land	8840	½ year tax: \$129.52
	Buildings	0	
	Total	8840	

Taxes for the year 2018 have been paid. Taxes for the year 2019 are not yet due and payable but are a lien on said premises by operation of statute.

MORTGAGES:

None.

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EASEMENTS AND RIGHTS OF WAY:

1. The premises are subject to a 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 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.
3. The premises are subject to a Master Cooperation Agreement between Consol Mining Corporation, CNX Resource Holdings LLC and CNX Gas Company LLC dated October 20, 2017 and recorded July 12, 2018 at Noble County Official Record Volume 313, Page 1064.
4. 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.

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 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.

LIENS:

No liens of record.

KINCAID, TAYLOR
& GEYER
ATTORNEYS AT LAW

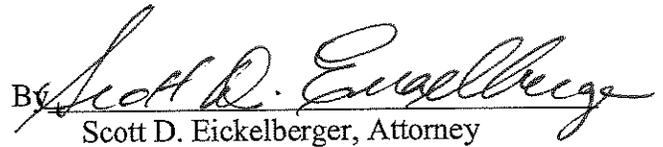
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I am an attorney qualified to practice in the State of Ohio and I certify that, as of 8:00 a.m. on the date of this Certificate, CNX Land LLC's, interest in and to real estate described at Exhibit "A" is free and clear of liens and encumbrances of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

30th day of August, 2019.

KINCAID, TAYLOR & GEYER

By 
Scott D. Eickelberger, Attorney

sde/CNX/Cert of Title Tract 60

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Exhibit "A"

Being Parcel #31-002197.000 included in the following description:

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

Situated in County of Noble and State of Ohio and in the district of lands subject to sale at Zanesville, Ohio, and bounded as follows, commencing at a stake North $87\text{-}1/2^\circ$ W. 60 $80/100$ rods from the north east corner of the south half of the south east quarter of Section Twenty Six (26) Township Eight (8) Range Eight (8), thence running North $87\text{-}1/2^\circ$ W. 102 $20/100$ rods to a stone, thence S. 2° W. 140 rods, thence N. 77° East 11 $28/100$ rods, thence N. $68\text{-}3/4^\circ$ E. 6 $72/100$ rods, thence N. 45° E. 40 $14/100$ rods, thence N. 66° E 10 $22/100$ rods to a stake, thence S. $27\text{-}1/2^\circ$ E. 44 $22/100$ rods to a stone, thence N. $55\text{-}1/2^\circ$ E. 60 $76/100$ rods to a stone, thence S. 65° E. 42 $22/100$ rods, thence N. 2° E. 87 $20/100$ rods, thence N. 48° W. 20 $36/100$ rods, thence N. $80\text{-}1/2^\circ$ W. 26 $08/100$ rods, thence N. $85\text{-}1/2^\circ$ W. 20 $96/100$ rods, thence N. 14° East 8 $48/100$ rods, thence N. $4\text{-}1/2^\circ$ E. 6 $16/100$ rods to the place of beginning, containing in all 113 $66/100$ acres.

Excepting from the above described premises the following tract conveyed by A.J. Moore, et ux, to John F. Groves by deed dated March 16, 1892 and recorded in Noble County, Record of Deeds, Volume 80, Page 418, to-wit:

Situated in the northwest corner of the south half of the southeast quarter of Section 26, Township 8, Range 8, and containing one and $88/100$ (1.88) acres, more or less.

Leaving in said Tract No. 1, 111.78 acres, more or less.

Also the following tract of land situated in Noble County, Ohio, bounded and described as follows a part of the south west quarter of the N.E. quarter of Section 35 Twp. 8 of Range 8, also a part of the North West quarter of the N.E. quarter of same section, Township and Range. Beginning for the same at a point on the west line of said qr. Section 9 $30/100$ chains south to the middle of the road leading to Mt. Ephraim, thence N. $2\text{-}1/4^\circ$ E. to a stake in middle of road aforesaid, thence N. $79\text{-}1/2^\circ$ E. 3.00 chains, thence N. $5\text{-}1/2^\circ$ E. 3 $50/100$ chains, thence N. $45\text{-}1/2^\circ$ E. 8.00 chains, thence N. $66\text{-}1/2^\circ$ E. 2.10 chains, thence S. 27° East 11.10 chains, thence S. $62\text{-}1/4^\circ$ W. 15.00 chains, thence S. $75\text{-}1/2^\circ$ W. 6 $37/100$ chains to the place of beginning containing seventeen and $55/100$ acres.

As being described in Deed Record 105, Page 345 (Tracts 1 & 2)

Being known as parcel number: 31-0021096.000 (56.30 acres in Section 35) & 31-0021097.000 (72.00 acres in Section 26)

Assessed acreage- 56.30 & 72.00

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:

Situated in Section 26, Township and Range aforesaid. Beginning at a point in the public road, on the east line of Section 26, and corner to lands now or formerly belonging to E.R. King, North no degrees forty-four minutes West (N. 0° 44' W.) seven hundred eighty-nine and 50/100 (789.50) feet from the southeast corner of said Section; thence with the Section line, North no degrees forty-four minutes West (N. 0° 44' W.) fourteen hundred thirty-seven and 2/100 (1437.02) feet to a point in the Whigville road, said line being common with Tract No. 1 above described and with lands now or formerly belonging to Pluma G. Spence, thence six (6) lines with said public road and lands now or formerly belonging to Harriet Morgan, South forty-nine degrees twenty-two minutes West (S. 49° 22' W.) two hundred twelve and 36/100 (212.36) feet; thence South fifty-four degrees twenty-nine minutes West (S. 54° 29' W.) two hundred twenty-two and 36/100 (222.36) feet; thence South eighty-three degrees thirty-four minutes West (S. 80° 34' W.) three hundred fifty-three and 30/100 (353.30) feet; thence South sixty-four degrees fifteen minutes West (S. 64° 15' W.) one hundred thirty-six and 43/100 (136.43) feet; thence South twenty-four degrees sixteen minutes West (S. 24° 16' W.) three hundred eighty-five and 40/100 (385.40) feet; thence South one degree twenty-three minutes East (S. 1° 23' E.) three hundred twenty-four and 2/100 (324.02) feet; to a point in the public road, thence with lands now or formerly belonging to E. R. King and continuing with said public road, South twenty-two degrees twenty-four minutes West (S. 22° 24' W.) two hundred forty-five and 39/100 (245.39) feet to a road intersection; thence leaving said Whigville road and with a second road bearing in a generally eastern direction the following five (5) courses and distances with the lands of E.R. King, North sixty-seven degrees thirty-eight minutes East (N. 67° 38' E.) one hundred fifty-two and 9/100 (152.09) feet; thence South eighty-nine degrees fifty-three minutes East (S. 89° 53' E.) three hundred three and no/100 (303.00) feet; thence North eighty-two degrees six minutes East (N. 82° 6' E.) two hundred four and 91/100 (204.91) feet; thence South eighty degrees three minutes East (S. 80° 3' E.) two hundred twelve and 87/100 (212.87) feet; thence South forty-seven degrees fifty-three minutes East (S. 47° 53' E.) two hundred ninety-seven and 12/100 (297.12) feet to the place of beginning, containing twenty-one and 72/100 (21.72) acres, more or less.

As being described in Deed Record 105, Page 355 (Second Tract)

Being known as parcel number: 31-0021100.000

Assessed acreage- 21.72

Agreement Number-218900000