

APPENDIX 1

AUCTION TRACT 1

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 1 AND 10 ACRES OFF OF THE WEST SIDE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND 10 ACRES OFF OF THE WEST SIDE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND PARCEL 2 OF MIDWEST COAL RESERVES NUMBER 3 MINOR SUBDIVISION RECORDED AT 2009R-_____. TOGETHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND MARKING THE NORTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE SOUTH 89 DEGREES 24 MINUTES 36 SECONDS EAST 1662.74 FEET TO A POINT IN A LAKE; THENCE SOUTH 1 DEGREE 16 MINUTES 44 SECONDS WEST 778.53 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 24 MINUTES 36 SECONDS EAST 985.57 FEET TO A RAILROAD SPIKE SET ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE SOUTH 00 DEGREES 49 MINUTES 32 SECONDS WEST ALONG SAID EAST LINE 541.28 FEET TO AN IRON PIN FOUND MARKING THE NORTHEAST CORNER TO WHITEHOUSE (1996R-002962); THENCE SOUTH 89 DEGREES 43 MINUTES 13 SECONDS WEST 990.15 FEET TO AN IRON PIN FOUND; THENCE SOUTH 00 DEGREES 48 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF WHITEHOUSE 1319.80 FEET TO AN IRON PIN FOUND; THENCE NORTH 89 DEGREES 20 MINUTES 48 SECONDS WEST 1661.97 FEET TO AN IRON PIN SET MARKING THE SOUTHWEST CORNER OF SAID WEST HALF; THENCE NORTH 01 DEGREE 01 MINUTE 54 SECONDS EAST ALONG THE WEST LINE OF SAID WEST HALF 2652.81 FEET TO THE POINT OF BEGINNING, CONTAINING 113.550 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 2

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

BEING PARCELS 2, 4, 6, 8 OF THE HEMENWAY MEMORIAL NUMBER 2 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND PARCEL 3 OF THE MIDWEST COAL RESERVES NUMBER 1 MINOR SUBDIVISION RECORDED AT 2009R-_____, AND PART OF THE PROPERTY DESCRIBED IN DEED RECORD 73, PAGE 95 AND 96 AND PART OF TRACT NUMBER 370 IN THE MIDWEST COAL RESERVES OF INDIANA DEED 2005R-014403 (PAGE 244) ALL BEING IN THE NORTH HALF OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE SET MARKING THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTH 01 DEGREE 01 MINUTE 55 SECONDS WEST ALONG THE EAST LINE OF SAID HALF QUARTER SECTION 539.22 FEET TO A POINT IN A LAKE; THENCE ALONG AND INSIDE THE LAKE THE FOLLOWING 15 COURSES:

- 1) NORTH 70 DEGREES 12 MINUTES 39 SECONDS EAST 343.73 FEET
- 2) SOUTH 41 DEGREES 17 MINUTES 48 SECONDS EAST 89.30 FEET
- 3) SOUTH 22 DEGREES 39 MINUTES 38 SECONDS EAST 168.47 FEET
- 4) SOUTH 12 DEGREES 11 MINUTES 02 SECONDS EAST 198.27 FEET
- 5) SOUTH 21 DEGREES 16 MINUTES 47 SECONDS EAST 233.03 FEET
- 6) SOUTH 30 DEGREES 10 MINUTES 17 SECONDS EAST 275.83 FEET
- 7) SOUTH 39 DEGREES 44 MINUTES 27 SECONDS EAST 228.63 FEET
- 8) SOUTH 52 DEGREES 37 MINUTES 28 SECONDS EAST 142.74 FEET
- 9) SOUTH 65 DEGREES 11 MINUTES 13 SECONDS EAST 460.13 FEET
- 10) SOUTH 66 DEGREES 27 MINUTES 24 SECONDS EAST 220.40 FEET
- 11) SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST 182.02 FEET
- 12) SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST 113.29 FEET
- 13) SOUTH 57 DEGREES 06 MINUTES 18 SECONDS EAST 312.77 FEET
- 14) SOUTH 00 DEGREES 09 MINUTES 36 SECONDS EAST 182.66 FEET
- 15) SOUTH 37 DEGREES 35 MINUTES 20 SECONDS WEST 450.35 FEET TO A POINT ON THE

SOUTH LINE OF THE NORTH HALF OF SAID SECTION 1; THENCE NORTH 89 DEGREES 24 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 1 A DISTANCE OF 3120.62 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREES 06 MINUTES 35 SECONDS EAST 1328.04 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREE 06 MINUTES 35 SECONDS EAST 1328.04 FEET TO A RAILROAD SPIKE SET ON THE NORTH LINE OF SAID SECTION 1; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST ALONG SAID NORTH LINE 1318.74 FEET TO THE POINT OF BEGINNING CONTAINING 140.236 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR KELLY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 3

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 3 OF HEMENWAY MEMORIAL NUMBER 2 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET MARKING THE NORTHWEST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 01 DEGREE 01 MINUTE 55 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER-QUARTER SECTION 539.22 FEET TO A POINT IN A LAKE; THENCE NORTH 70 DEGREES 12 MINUTES 39 SECONDS EAST 343.73 FEET; THENCE SOUTH 41 DEGREES 17 MINUTES 48 SECONDS EAST 89.30 FEET; THENCE SOUTH 22 DEGREES 39 MINUTES 38 SECONDS EAST 168.47 FEET; THENCE SOUTH 12 DEGREES 11 MINUTES 02 SECONDS EAST 198.27; THENCE NORTH 00 DEGREES 59 MINUTES 01 SECOND EAST 830.44 FEET TO A RAILROAD SPIKE SET ON THE NORTH LINE OF SAID QUARTER-QUARTER SECTION; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST ALONG SAID NORTH LINE 493.74 FEET TO THE POINT OF BEGINNING CONTAINING 5.776 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF KELLY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 4

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 4 OF HEMENWAY MEMORIAL NUMBER 2 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE SET MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION 330.00 FEET TO A RAILROAD SPIKE SET MARKING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST ALONG SAID NORTH LINE 493.74 FEET TO A RAILROAD SPIKE SET; THENCE SOUTH 00 DEGREES 59 MINUTES 01 SECONDS WEST 830.44 FEET TO A POINT IN A LAKE; THENCE SOUTH 21 DEGREES 16 MINUTES 47 SECONDS EAST 233.03 FEET; THENCE SOUTH 30 DEGREES 10 MINUTES 17 SECONDS EAST 275.83 FEET; THENCE SOUTH 39 DEGREES 44 MINUTES 27 SECONDS EAST 228.63 FEET; THENCE SOUTH 52 DEGREES 37 MINUTES 28 SECONDS EAST 142.74 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST 1539.77 FEET TO THE POINT OF BEGINNING, CONTAINING 14.328 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR KELLY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 5

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 1 OF MIDWEST COAL RESERVES NUMBER 1 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER TO SECTION 1; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST 800.50 FEET TO A RAILROAD SPIKE; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST 420.75 FEET TO A RAILROAD SPIKE MARKING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST ALONG THE NORTH LINE OF SECTION 1 A DISTANCE OF 420.75 FEET TO A RAILROAD SPIKE SET; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST 1539.77 FEET TO A POINT IN A LAKE; THENCE SOUTH 65 DEGREES 11 MINUTES 13 SECONDS EAST 460.13 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST 1725.40 FEET TO THE POINT OF BEGINNING, CONTAINING 15.769 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR KELLY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 6

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 2 OF MIDWEST COAL RESERVES NUMBER 1 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER TO SECTION 1; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST 808.50 FEET TO A RAILROAD SPIKE MARKING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST 420.75 FEET TO A RAILROAD SPIKE; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST 1725.40 FEET TO A POINT IN A LAKE; THENCE SOUTH 66 DEGREES 27 MINUTES 24 SECONDS EAST 220.40 FEET; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST 217.28 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST 1809.82 FEET TO THE POINT OF BEGINNING, CONTAINING 17.284 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR KELLY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 7

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 1 OF THE HEMENWAY MEMORIAL NUMBER 1 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER OF SAID SECTION 1; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER SECTION 587.94 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST AND PARALLEL WITH THE NORTH LINE THEREOF 808.50 FEET TO AN IRON PIN SET; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST AND PARALLEL WITH THE EAST LINE THEREOF 587.94 FEET TO A RAILROAD SPIKE SET ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST ALONG SAID NORTH LINE 808.50 FEET TO THE POINT OF BEGINNING, CONTAINING 10.912 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF KELLY ROAD AND CROWVILLE ROAD BEING 25 FEET SOUTH AND WEST OF THE CENTER OF SAID ROADS.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 8

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 2 OF THE HEMENWAY MEMORIAL NUMBER 1 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER OF SAID SECTION 1; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER SECTION 587.94 FEET TO A RAILROAD SPIKE SET MARKING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST AND PARALLEL WITH THE NORTH LINE THEREOF 808.50 FEET TO AN IRON PIN SET; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST AND PARALLEL WITH THE EAST LINE THEREOF 646.53 FEET TO AN IRON PIN SET; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST AND PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION 808.50 FEET TO A RAILROAD SPIKE SET ON SAID EAST LINE; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST ALONG SAID EAST LINE 646.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.000 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF CROWVILLE ROAD BEING 25 FEET WEST OF THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 9

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 3 OF THE HEMENWAY MEMORIAL NUMBER 1 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER OF SAID SECTION 1; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER SECTION 1234.47 FEET TO A RAILROAD SPIKE SET MARKING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST ALONG SAID EAST LINE 646.53 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST AND PARALLEL WITH THE NORTH LINE THEREOF 808.50 FEET TO AN IRON PIN SET; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST AND PARALLEL WITH THE EAST LINE THEREOF 646.53 FEET TO AN IRON PIN SET; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST AND PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION 808.50 FEET TO THE POINT OF BEGINNING, CONTAINING 12.000 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF CROWVILLE ROAD BEING 25 FEET WEST OF THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 10

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 7 OF THE HEMENWAY MEMORIAL NUMBER 2 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN FOUND MARKING THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST ALONG THE EAST LINE OF SAID QUARTER 745.23 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST 808.50 FEET TO A POINT IN A LAKE; THENCE NORTH 00 DEGREES 56 MINUTES 05 SECONDS EAST 71.18 FEET; THENCE NORTH 88 DEGREES 58 MINUTES 43 SECONDS WEST 35.27 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 05 SECONDS WEST 113.29 FEET; THENCE SOUTH 57 DEGREES 06 MINUTES 18 SECONDS EAST 312.77 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 36 SECONDS EAST 182.66 FEET; THENCE SOUTH 37 DEGREES 35 MINUTES 20 SECONDS WEST 450.35 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 24 MINUTES 36 SECONDS EAST 843.78 FEET TO THE POINT OF BEGINNING, CONTAINING 11.815 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 11

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 1 OF THE MIDWEST COAL RESERVES NUMBER 3 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 00 DEGREES 48 MINUTES 53 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION 430.00 FEET TO A RAILROAD SPIKE SET MARKING THE NORTHEAST CORNER TO SWAN (2002R-009324); THENCE NORTH 89 DEGREES 24 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SWAN 250.00 FEET AN IRON PIN SET AT THE NORTHWEST CORNER TO SWAN; THENCE SOUTH 00 DEGREES 48 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SWAN 348.48 FEET TO AN IRON PIN SET MARKING THE SOUTHWEST CORNER TO SWAN; THENCE NORTH 89 DEGREES 24 MINUTES 36 SECONDS WEST 735.57 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREE 16 MINUTES 44 SECONDS EAST 778.53 TO A POINT IN A LAKE; THENCE SOUTH 89 DEGREES 24 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION 979.26 FEET TO THE POINT OF BEGINNING, CONTAINING 15.557 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 12

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PART OF TRACT NUMBER 336 OF THE MIDWEST COAL RESERVES OF INDIANA DEED 2005R-014403, (PAGE 221), AND TRACT 366 OF THE MIDWEST COAL RESERVES OF INDIANA DEED 2005R-014403 PAGE (238), AND PART OF DEED RECORD 79, PAGE 295 BEING DESCRIBED AS FOLLOWS: THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 AND 13.33 ACRES OFF OF THE WEST SIDE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 AND 26-2/3 ACRES OFF OF THE EAST SIDE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, ALL IN TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA, CONTAINING 80 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 13

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 1 OF MIDWEST COAL RESERVES NUMBER 4 MINOR SUBDIVISION RECORDED AT 2009R-_____AND BEING PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE SET MARKING THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01 DEGREE 10 MINUTES 43 SECONDS WEST 667.11 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 89 DEGREES 27 MINUTES 09 SECONDS WEST 2650.09 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREE 07 MINUTES 26 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTH HALF 663.37 FEET TO AN IRON PIN SET AT THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE SOUTH 89 DEGREES 31 MINUTES 59 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTH HALF 2650.77 FEET TO THE POINT OF BEGINNING, CONTAINING 40.474 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 14

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 2 OF MIDWEST COAL RESERVES NUMBER 4 MINOR SUBDIVISION RECORDED AT 2009R-_____AND BEING PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT AN RAILROAD SPIKE SET MARKING THE SOUTHEAST CORNER OF SAID SOUTH HALF; THENCE NORTH 01 DEGREES 10 MINUTES 43 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTH HALF 667.11 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 89 DEGREES 27 MINUTES 09 SECONDS WEST 2650.09 FEET TO AN IRON PIN SET ON THE WEST LINE THEREOF; THENCE SOUTH 01 DEGREE 07 MINUTES 26 SECONDS WEST ALONG SAID WEST LINE 663.37 FEET TO AN IRON PIN SET AT THE SOUTHWEST CORNER OF SAID SOUTH HALF; THENCE SOUTH 89 DEGREES 22 MINUTES 18 SECONDS EAST ALONG THE SOUTH LINE OF SAID SOUTH HALF 2649.42 FEET TO THE POINT OF BEGINNING, CONTAINING 40.464 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 15

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PART OF TRACT NUMBER 336 OF THE MIDWEST COAL RESERVES DEED 2005R-014403 (PAGE 221) AND BEING THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA, EXCEPT 6-1/2 ACRES LYING WEST OF THE DRAINAGE DITCH CONVEYED TO GEORGE L TORIAN AND THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12, CONTAINING 53.5 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR CROWVILLE ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 16

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

TRACT NUMBER 340 OF THE MIDWEST COAL RESERVES OF INDIANA DEED 2005R-014403 (PAGE 223), DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN MARKING THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 8 WEST; THENCE SOUTH 89 DEGREES 08 MINUTES 59 SECONDS EAST ALONG THE SOUTH LINE OF SAID EAST HALF 783.45 FEET TO AN IRON PIN SET; THENCE NORTH 00 DEGREES 51 MINUTES 01 SECONDS EAST 45.49 FEET TO A MAG NAIL SET; THENCE NORTH 25 DEGREES 08 MINUTES 47 SECONDS EAST 984.59 FEET TO AN IRON PIN FOUND ON THE SOUTH LINE OF FREEDOM CHURCH AND CEMETERY; THENCE SOUTH 88 DEGREES 02 MINUTES 40 SECONDS WEST ALONG THE SOUTH LINE OF SAID CHURCH 274.17 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREE 10 MINUTES 43 SECONDS EAST ALONG THE WEST LINE OF SAID CHURCH 519.07 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 06 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID CHURCH 414.01 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 01 DEGREE 10 MINUTES 43 SECONDS EAST ALONG THE EAST LINE OF SAID EAST HALF 525.97 FEET TO A RAILROAD SPIKE SET; THENCE NORTH 89 DEGREES 08 MINUTE 59 SECONDS WEST 1324.34 FEET TO AN IRON PIN SET; THENCE SOUTH 01 DEGREE 09 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID EAST HALF 1974.24 FEET TO THE POINT OF BEGINNING, CONTAINING 47.580 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY FOR CROWVILLE ROAD AND SHELTON ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OR-WAY AND OR RESTRICTIONS OF RECORD.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 17

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PART OF THE PROPERTY DESCRIBED IN DEED RECORD 79, PAGE 295 AND PARCEL 1 OF HEMENWAY MEMORIAL NUMBER 3 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND BEING PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 01 DEGREE 06 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF SAID QUARTER SECTION 1878.69 FEET TO A RAILROAD SPIKE SET; THENCE SOUTH 89 DEGREES 32 MINUTES 00 SECONDS EAST 750.00 FEET TO AN IRON PIN SET; THENCE SOUTH 01 DEGREE 06 MINUTES 50 SECONDS WEST 750.00 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 30 MINUTES 59 SECONDS EAST 1901.78 FEET TO AN IRON PIN SET ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 01 DEGREE 07 MINUTES 26 SECONDS WEST ALONG SAID EAST LINE 1135.61 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES 22 MINUTES 18 SECONDS WEST ALONG THE SOUTH LINE THEREOF 2651.51 FEET TO THE POINT OF BEGINNING, CONTAINING 81.832 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR EBY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 18

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 2 OF THE HEMENWAY MEMORIAL NUMBER 3 MINOR SUBDIVISION RECORDED AT 2009R-_____ AND PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND MARKING THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 8 WEST; THENCE NORTH 01 DEGREE 11 MINUTES 15 SECONDS EAST ALONG THE WEST LINE OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST 29.82 FEET TO AN IRON PIN FOUND MARKING THE SOUTHWEST CORNER OF THE REARDEN-MILEY MINOR SUBDIVISION; THENCE NORTH 89 DEGREES 29 MINUTES 34 SECONDS EAST ALONG THE SOUTH LINE OF THE REARDEN-MILEY MINOR SUBDIVISION 1320.00 FEET TO AN IRON PIN FOUND MARKING THE SOUTHEAST CORNER OF THE REARDEN-MILEY MINOR SUBDIVISION; THENCE SOUTH 06 DEGREES 25 MINUTES 06 SECONDS EAST 48.86 FEET TO AN IRON PIN SET MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12; THENCE SOUTH 89 DEGREES 41 MINUTES 40 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12 A DISTANCE OF 1326.09 FEET TO A IRON PIN SET MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH 01 DEGREES 07 MINUTES 26 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER 1517.85 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 59 SECONDS WEST 1901.78 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREE 06 MINUTES 50 SECONDS EAST 750.00 FEET TO AN IRON PIN SET; THENCE NORTH 89 DEGREES 32 MINUTES 00 SECONDS WEST 750.00 FEET TO A RAILROAD SPIKE SET ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE NORTH 01 DEGREE 06 MINUTES 50 SECONDS EAST ALONG SAID WEST LINE 759.80 FEET TO THE POINT OF BEGINNING, CONTAINING 80.429 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR EBY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 19

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PART OF TRACT 341 OF THE MIDWEST COAL RESERVES DEED 2005R-014403 AND PART OF DEED RECORD 73, PAGE 95 AND PART OF DEED RECORD 79, PAGE 295 AND BEING PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE SET MARKING THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTH 89 DEGREES 33 MINUTES 10 SECONDS EAST 2648.45 FEET TO AN IRON PIN SET MARKING THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01 DEGREE 01 MINUTE 54 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTH HALF 1326.41 FEET TO AN IRON PIN SET; THENCE NORTH 89 DEGREES 41 MINUTES 40 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTH HALF 1326.09 FEET TO AN IRON PIN SET; THENCE NORTH 06 DEGREES 25 MINUTES 06 SECONDS WEST 48.86 FEET TO AN IRON PIN FOUND MARKING THE SOUTHEAST CORNER OF THE REARDEN MILEY MINOR SUBDIVISION; THENCE NORTH 01 DEGREE 11 MINUTES 17 SECONDS EAST ALONG THE EAST LINE OF THE REARDEN MILEY MINOR SUBDIVISION 627.90 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEGREES 29 MINUTES 34 SECONDS WEST ALONG THE NORTH LINE OF THE REARDEN MILEY MINOR SUBDIVISION 1320.00 FEET TO AN IRON PIN FOUND MARKING THE NORTHWEST CORNER TO SAID MINOR SUBDIVISION; THENCE NORTH 01 DEGREE 11 MINUTES 10 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTH HALF 675.30 FEET TO THE POINT OF BEGINNING, CONTAINING 60.687 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY FOR EBY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 20

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 2 OF THE MIDWEST COAL RESERVES NUMBER 2 MINOR SUBDIVISION AS RECORDED IN 2009R-_____ AND BEING PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE SET MARKING THE SOUTHWEST CORNER OF SAID NORTH HALF; THENCE SOUTH 89 DEGREES 33 MINUTES 10 SECONDS EAST ALONG THE SOUTH LINE OF SAID NORTH HALF 1753.21 FEET TO AN IRON PIN SET; THENCE NORTH 08 DEGREES 58 MINUTES 49 SECONDS EAST 594.07 FEET TO AN IRON PIN SET; THENCE NORTH 89 DEGREES 24 MINUTES 36 SECONDS WEST 1833.72 FEET TO A RAILROAD SPIKE SET ON THE WEST LINE OF SAID NORTH HALF; THENCE SOUTH 01 DEGREE 11 MINUTES 14 SECONDS WEST ALONG SAID WEST LINE 592.11 FEET TO THE POINT OF BEGINNING, CONTAINING 24.285 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF EBY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY AND OR EASEMENTS OF RECORD

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 21

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 1 OF THE MIDWEST COAL RESERVES NUMBER 2 MINOR SUBDIVISION AS RECORDED IN 2009R-_____ AND BEING PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE SET MARKING THE NORTH WEST CORNER OF SAID NORTH HALF; THENCE SOUTH 89 DEGREES 24 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTH HALF 1935.27 FEET TO AN IRON PIN SET; THENCE SOUTH 08 DEGREES 58 MINUTES 49 SECONDS WEST 748.90 FEET TO AN IRON PIN SET; THENCE NORTH 89 DEGREES 24 MINUTES 36 SECONDS WEST 1833.72 FEET TO A RAILROAD SPIKE SET ON THE WEST LINE OF SAID NORTH HALF; THENCE NORTH 01 DEGREE 11 MINUTES 14 SECONDS EAST ALONG SIDE WEST LINE 740.92 FEET TO THE POINT OF BEGINNING, CONTAINING 32.052 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF EBY ROAD BEING 25 FEET FROM THE CENTER OF SAID ROAD.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY AND OR EASEMENTS OF RECORD.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 22 (SWING TRACT)

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET MARKING THE NORTHEAST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 01 DEGREE 01 MINUTE 54 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION 1326.40 FEET TO AN IRON PIN SET MARKING THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES 33 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION 895.24 FEET TO AN IRON PIN SET; THENCE NORTH 08 DEGREES 58 MINUTES 49 SECONDS EAST 1342.96 FEET TO AN IRON PIN SET ON THE NORTH LINE OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 89 DEGREES 24 MINUTES 36 SECONDS EAST ALONG SAID NORTH LINE 709.51 FEET TO THE POINT OF BEGINNING, CONTAINING 24.449 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED TRACT IS GRANTED AN EASEMENT FOR INGRESS AND EGRESS AND SUBJECT TO THAT PORTION OF SAID EASEMENT LOCATED WITHIN THE ABOVE DESCRIBED TRACT SAID EASEMENT BEING 50' IN WIDTH AND LYING 25' ON EACH SIDE OF THE HEREIN DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF SECTION 1; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST 771.59 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID EASEMENT; THENCE SOUTH 13 DEGREES 21 MINUTES 24 SECONDS WEST 409.79 FEET; THENCE SOUTH 09 DEGREES 24 MINUTES 54 SECONDS WEST 337.84 FEET; THENCE SOUTH 04 DEGREES 14 MINUTES 31 SECONDS WEST 825.06 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 07 SECONDS WEST 110.64 FEET; THENCE SOUTH 14 DEGREES 24 MINUTES 52 SECONDS EAST 82.88 FEET; THENCE SOUTH 29 DEGREES 31 MINUTES 48 SECONDS EAST 79.38 FEET; THENCE SOUTH 44 DEGREES 29 MINUTES 30 SECONDS EAST 150.91 FEET; THENCE SOUTH 58 DEGREES 50 MINUTES 04 SECONDS EAST 249.17 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 08 SECONDS EAST 262.90 FEET; THENCE SOUTH 85 DEGREES 07 MINUTES 44 SECONDS EAST 349.23 FEET; THENCE SOUTH 88 DEGREES 07 MINUTES 31 SECONDS EAST 235.99 FEET; THENCE SOUTH 72 DEGREES 38 MINUTES 14 SECONDS EAST 322.76 FEET; THENCE SOUTH 55 DEGREES 53 MINUTES 44 SECONDS EAST 325.63 FEET; THENCE SOUTH 38 DEGREES 40 MINUTES 22 SECONDS EAST 154.29 FEET; THENCE SOUTH 40 DEGREES 56 MINUTES 26 SECONDS EAST 259.64 FEET TO THE TERMINUS OF SAID CENTERLINE.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 23

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

TRACT NUMBER 370 OF THE MIDWEST COAL RESERVES OF INDIANA DEED 2005R-014403 (PAGE 244) AND BEING TWENTY-TWO (22) ACRES OFF OF THE SOUTH SIDE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA.

THE ABOVE DESCRIBED TRACT IS GRANTED AN EASEMENT FOR INGRESS AND EGRESS AND SUBJECT TO THAT PORTION OF SAID EASEMENT LOCATED WITHIN THE ABOVE DESCRIBED TRACT SAID EASEMENT BEING 50' IN WIDTH AND LYING 25' ON EACH SIDE OF THE HEREIN DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF SECTION 1; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST 771.59 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID EASEMENT; THENCE SOUTH 13 DEGREES 21 MINUTES 24 SECONDS WEST 409.79 FEET; THENCE SOUTH 09 DEGREES 24 MINUTES 54 SECONDS WEST 337.84 FEET; THENCE SOUTH 04 DEGREES 14 MINUTES 31 SECONDS WEST 825.06 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 07 SECONDS WEST 110.64 FEET; THENCE SOUTH 14 DEGREES 24 MINUTES 52 SECONDS EAST 82.88 FEET; THENCE SOUTH 29 DEGREES 31 MINUTES 48 SECONDS EAST 79.38 FEET; THENCE SOUTH 44 DEGREES 29 MINUTES 30 SECONDS EAST 150.91 FEET; THENCE SOUTH 58 DEGREES 50 MINUTES 04 SECONDS EAST 249.17 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 08 SECONDS EAST 262.90 FEET; THENCE SOUTH 85 DEGREES 07 MINUTES 44 SECONDS EAST 349.23 FEET; THENCE SOUTH 88 DEGREES 07 MINUTES 31 SECONDS EAST 235.99 FEET; THENCE SOUTH 72 DEGREES 38 MINUTES 14 SECONDS EAST 322.76 FEET; THENCE SOUTH 55 DEGREES 53 MINUTES 44 SECONDS EAST 325.63 FEET; THENCE SOUTH 38 DEGREES 40 MINUTES 22 SECONDS EAST 154.29 FEET; THENCE SOUTH 40 DEGREES 56 MINUTES 26 SECONDS EAST 259.64 FEET TO THE TERMINUS OF SAID CENTERLINE.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

APPENDIX 1

AUCTION TRACT 24

Surface only of the following Real Estate in Warrick County in the State of Indiana, to-wit:

PARCEL 1 OF THE HEMENWAY MEMORIAL NUMBER 2 MINOR SUBDIVISION AS RECORDED AT 2009R-_____ AND PART OF TRACT 368 IN THE MIDWEST COAL RESERVES DEED 2005R-014403 (PAGE 242) AND BEING 18 ACRES MORE OR LESS OFF OF THE NORTH SIDE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 8 WEST, IN BOON TOWNSHIP, WARRICK COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH HALF; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTH HALF 1318.74 FEET TO A RAILROAD SPIKE SET; THENCE SOUTH 01 DEGREE 06 MINUTES 35 SECONDS WEST 1328.04 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH HALF; THENCE NORTH 89 DEGREES 11 MINUTES 41 SECONDS WEST ALONG SAID SOUTH LINE 1320.55 FEET TO A RAILROAD SPIKE SET MARKING THE SOUTHWEST CORNER OF SAID NORTH HALF; THENCE NORTH 01 DEGREE 11 MINUTES 14 SECONDS EAST ALONG THE WEST LINE OF SAID NORTH HALF 1333.03 FEET TO THE POINT OF BEGINNING, CONTAINING 40.308 ACRES.

CONTAINING IN ALL 58.671 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT-OF-WAY OF EBY ROAD AND KELLY ROAD BOTH BEING 25 FEET FROM THE CENTER OF SAID ROADS.

SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAYS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT IS GRANTED AN EASEMENT FOR INGRESS AND EGRESS AND SUBJECT TO THAT PORTION OF SAID EASEMENT LOCATED WITHIN THE ABOVE DESCRIBED TRACT SAID EASEMENT BEING 50' IN WIDTH AND LYING 25' ON EACH SIDE OF THE HEREIN DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF SECTION 1; THENCE SOUTH 88 DEGREES 58 MINUTES 43 SECONDS EAST 771.59 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID EASEMENT; THENCE SOUTH 13 DEGREES 21 MINUTES 24 SECONDS WEST 409.79 FEET; THENCE SOUTH 09 DEGREES 24 MINUTES 54 SECONDS WEST 337.84 FEET; THENCE SOUTH 04 DEGREES 14 MINUTES 31 SECONDS WEST 825.06 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 07 SECONDS WEST 110.64 FEET; THENCE SOUTH 14 DEGREES 24 MINUTES 52 SECONDS EAST 82.88 FEET; THENCE SOUTH 29 DEGREES 31 MINUTES 48 SECONDS EAST 79.38 FEET; THENCE SOUTH 44 DEGREES 29 MINUTES 30 SECONDS EAST 150.91 FEET; THENCE SOUTH 58 DEGREES 50 MINUTES 04 SECONDS EAST 249.17 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 08 SECONDS EAST 262.90 FEET; THENCE SOUTH 85 DEGREES 07 MINUTES 44 SECONDS EAST 349.23 FEET; THENCE SOUTH 88 DEGREES 07 MINUTES 31 SECONDS EAST 235.99 FEET; THENCE SOUTH 72 DEGREES 38 MINUTES 14 SECONDS EAST 322.76 FEET; THENCE SOUTH 55 DEGREES 53 MINUTES 44 SECONDS EAST 325.63 FEET; THENCE SOUTH 38 DEGREES 40 MINUTES 22 SECONDS EAST 154.29 FEET; THENCE SOUTH 40 DEGREES 56 MINUTES 26 SECONDS EAST 259.64 FEET TO THE TERMINUS OF SAID CENTERLINE.

Also, the right of unlimited access to and use of the entire lake abutting the above parcel along with all other owners of parcels abutting said lake for boating, fishing, and recreational purposes, subject to the Shared Lake Rights, Rules and Restrictions as contained in the Land Auction Plat of the Heirs of James A. Hemenway and Midwest Coal Reserves of Indiana, LLC recorded as Document #2009R-_____ in the records of the Office of the Warrick County Recorder, Warrick County, Indiana.

Except all coal, oil, gas, coal bed methane and other minerals of any nature whatsoever in or under the above-described real property to the extent not previously severed, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods, without liability to the surface owner, including without limitation any liability for subsidence or removal of subjacent or lateral support.

