

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS: Joan W. Brantner )  
Buchanan Production Company )  
Harrison Wyatt, LLC )  
Frances W. Johnson )  
Jerry and Phyllis Raines )  
Elmer Reedy )  
Dorothy Sodolski )

RELIEF SOUGHT: Issuance of an Amended Supplemental )  
Order Amending Prior Orders Affecting )  
Drilling Unit T-16 Located in )  
Buchanan County, VA )  
(herein "Subject Drilling Unit" to Provide: )  
(1) Calculation of Funds Unit Operator )  
Deposited into the Escrow Account for )  
Subject Drilling Unit by Tract Subaccounts; )  
(2) to Applicants, a Royalty Accounting; and )  
(3) Disbursement to Applicants )  
in Accordance with Their Ownership )  
Interests Those Funds Deposited by the )  
Unit Operator into Subject Drilling Unit's )  
Escrow Subaccount for VGOB Tracts 1, 2, )  
3, 5, 7 And 8. )

DOCKET NO.  
94-1024-0476-01  
(And including  
prior orders under  
Docket No. 92-1117-0283)

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearings before the Virginia Gas and Oil Board (herein "Board") on December 14, 2004 and February 15, 2005 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Peter Glubiak, Esq. Appeared for applicants Jerry and Phyllis Raines; Mark Swartz, Esq. appeared for applicants Charles and Joan Brantner, Frances Reedy, Elmer Reedy, Dorothy Sodolski, Wyatt Ratliff, LLC and Buchanan Production Company.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve

conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. On February 5, 1993, The Board executed under Docket number 92-1117-0283 its order pooling all interests in the Subject Unit, and on February 12, 1993, the Board executed under Docket Number 92-1215-0304 its order modifying the earlier pooling order for production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code §§ 45.1-361.21 and 45.1-361.22. The Orders, respectively, were filed with the Clerk of the Circuit Court of Buchanan County on February 5, 1993 in Deed Book 404 at Page 112 and on February 24, 1993 in Deed Book 405 at Page 103. The designated operator failed to commence operations in the allocated time and orders 92-1117-0283 and 92-1215-0304 accordingly expired. On November 28, 1994, The Board executed under Docket Number 94-1024-0476 its order re-pooling all interests in the Subject Drilling Unit in accordance with the provisions of Va. Code §§ 45.1-361.21 and 45.1-361.22. The order was filed with the Clerk on December 13, 1994 in Deed Book 430 at page 547. On April 18, 1995, the Board filed its Supplemental Order Regarding Elections with the Clerk in Book 435 at page 284. At its February 15, 2005 hearing, the Board was made aware that escrowed funds have been deposited under the expired account 92-1215-0304. The Board instructed the Escrow Agent to consolidate all funds for Subject Unit into Docket number 94-1024-0476, and to manage and disburse all attributable funds from that account. On June 17, 2003, The Board executed an order without docket number amending all prior pooling orders that named Buchanan Production Company, Pocahontas Gas Partnership, Island Creek Coal Company or Consol Energy, Inc. as unit operator, and designated CNX Gas Company, LLC as operator. In Buchanan County, the amendment order was recorded with the Buchanan County Clerk in Deed Book 585, Page 65.
- 4.2. Pooling Orders indicate that oil and gas interests in Tracts 1 and 2 were owned by Jerry and Phyllis Raines or Thurmon and Elma Owens. Sworn testimony and evidence presented to the Board showed that Tracts 1 and 2 have been in the sole possession of Jerry and Phyllis Raines since 1972, and that Thurman and Elma Owens have no claim to the property.
- 4.3. Pooling Orders Indicate that oil and gas interests in Tracts 5 and 8 were owned by unknown heirs of W. H. Reedy. Sworn testimony and a Supplemental Affidavit of CNX Gas Company, LLC, a copy of which is attached to and made a part of this order, state that heirs of W. H. Reedy have been identified subsequent to execution of Pooling Orders, and that those identified heirs include Applicants Frances. W. Johnson, Joan W. Brantner, Elmer Reedy and Dorothy Sodolski.
- 4.4. To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders under Docket Number 94-1024-0476 (herein "Escrow Account"). According to the Pooling Orders, coalbed methane claims of oil and gas fee owners Jerry and Phyllis Raines and coal fee owners Harrison Wyatt, LLC in a 7.08-acre tract known as VGOB Tract 1 and a 15.50-acre tract known as VGOB Tract 2, and oil and gas fee owners Charles and Joan Brantner, Frances Johnson, Elmer Reedy Dorothy Sodolski, Buchanan Production Company and others and coal owner Harrison Wyatt, LLC in a 34.73-acre tract known as VGOB Tract 5 and a 0.02-acre tract known as VGOB Tract 8, and oil and gas fee owner Buchanan Production Company and coal fee owner Harrison Wyatt, LLC in a

4.51-acre tract known as VGOB Tract 3 and a 0.23-acre tract known as VGOB Tract 7 were in conflict and became subject to the escrow requirements of the Pooling Order.

- 4.5. With regard to VGOB Tracts 1 and 2, the Applicant's Affidavit Regarding Supplemental Order and Disbursement of Escrowed Funds dated December 17, 2004, a copy of which is attached to and made a part hereof, states under oath that Applicants Jerry and Phyllis Raines were parties to a Motion for Judgment filed on August 14, 2000 in the Circuit Court of Buchanan County, Virginia styled DONALD RATLIFF, et al v. HARRISON-WYATT, LLC, Case Number: CL187-00; that the Court ruled in favor of plaintiffs; that the Decision was appealed to the Virginia Supreme Court; and that the Supreme Court, in final non-appealable order, affirmed the Circuit Court opinion.
- 4.6. By the Unit Operator's Miscellaneous Petition regarding VGOB Tracts 5 and 8 dated October 19, 2004, a copy of which is attached to and made a part hereof, and by sworn testimony before the Board on December 14, 2004, the Unit Operator testified that VGOB Tracts 5 and 8 and the interests of Charles and Joan Brantner, Frances Johnson, Elmer Reedy Dorothy Sodolski Buchanan Production Company and Harrison-Wyatt, LLC are subject to a royalty split agreement and that by terms of the agreement, escrow regarding the conflicting claims of said parties is no longer required.
- 4.7. With regard to VGOB Tract 1 and 2, Petitioners gave notice to Harrison-Wyatt, LLC and CNX Gas Company, LLC that the Board would take the petition referred to in Paragraph 4.5 above under consideration at its hearing; With regard to VGOB Tracts 5 and 8, petitioners gave notice to Charles and Joan Brantner, Frances Johnson, Elmer Reedy, Dorothy Sodolski, Buchanan Production Company and Harrison-Wyatt, LLC that the Board would take the petition referred to in Paragraph 4.3 above under consideration at its hearing; with regard to Tracts 3 and 7, Petitioners gave notice to Harrison-Wyatt, LLC and Buchanan Production Company, LLC that the Board would take the petition referred to in Paragraph 4.3 above under consideration at its hearing. Notice stated that the Board would consider whether to: (1) amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract 1 and 2 and the interests of Jerry and Phyllis Raines, Tracts 5 and 8 and the interests of Charles and Joan Brantner, Frances Johnson, Elmer Reedy, Dorothy Sodolski, Buchanan Production Company and Harrison-Wyatt, LLC, Tracts 3 and 7 and the interests of Buchanan Production Company and Harrison-Wyatt, LLC; (2) delete the requirement that the Unit Operator place future royalties attributable to the above-named parties in Tracts 1, 2, 3, 5, 7 and 8 in the Escrow Account, and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to escrow.
- 4.8. The Unit Operator filed the attached accountings for Subject Drilling Unit's Escrow Account with the Board ("Accountings").

5. **Findings:**

- 5.1. Va. Code 45.1-361.22.5 provides:

*The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.*

5.2 With regard to VGOB Tracts 1 and 2, Applicant has certified and represented to the Board that:

- (1) Jerry and Phyllis Raines are the owners of 100% of oil and gas estate underlying VGOB Tracts 1 and 2 of the Subject Drilling Unit;
- (2) Jerry and Phyllis Raines are prevailing Plaintiffs in Case Number CL187-00 described in the attached affidavit and in Paragraph 4.5, above,
- (3) Tracts 1 and 2 of unit T-16 are subject to that decision which awards Plaintiffs 100% of all bonuses and/or royalties, if any, deposited by the Unit Operator in the Escrow Account which are attributable to said tracts.

5.3. With regard to VGOB Tracts 5 and 8, Petitioner has certified and represented to the Board that:

- (1) Charles and Joan Brantner, Frances Johnson, Elmer Reedy, Dorothy Sodolski and Buchanan Production Company are fee owners of oil and gas rights in a portion of Tract 5 and 8, and Harrison-Wyatt, LLC is fee owner of coal rights in Tracts 5 and 8.
- (2) Charles and Joan Brantner, Frances Johnson, Elmer Reedy, Dorothy Sodolski and Buchanan Production Company, and Harrison-Wyatt, LLC have entered into a royalty split agreement specifying that escrowed funds attributable to their conflicting interests are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.

5.4. With Regard to VGOB Tracts 3 and 7, Petitioner has certified and represented to the Board that:

- (1) Buchanan Production Company is fee owner of oil and gas rights in a portion of Tracts 3 and 7, and Harrison-Wyatt, LLC is fee owner of coal rights in Tracts 5 and 7.
- (2) Buchanan Production Company, and Harrison-Wyatt, LLC have entered into a royalty split agreement specifying that escrowed funds attributable to their conflicting interests are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.

6. **Relief Granted:**

For the reasons set forth in Paragraphs 4 and 5 above, and based upon the Accounting, the Escrow Agent is ordered to, within 10 days of receipt of this executed order:

- (1) Disburse one hundred percent (100%) of the funds attributable to VGOB Tract 1, being 11.3622% percent of funds on deposit in the escrow sub-account on the date of disbursement, and one hundred percent (100%) of the funds attributable to VGOB Tract 2, being 24.8836% percent of funds on deposit in the escrow sub-account on the date of disbursement (total 36.2458% of funds in the escrow sub-account), to:

Peter Glubiak Law Offices, Jerry and Phyllis Raines  
C/O Glubiak Law Office  
P. O. Box 144  
Aylett, VA 23009

- (2) Disburse funds attributable to the conflicting interests of Charles and Joan Brantner, Frances Johnson, Elmer Reedy, Dorothy Sodolski and Buchanan Production Company, and Harrison-Wyatt, LLC in VGOB Tracts 5 and 8 as follows: 0.556% of funds attributable to Tract 5, being 0.3098% of funds on deposit in the escrow sub-account on the date of disbursement, and 0.556% of funds attributable to Tract 8, being 0.0002% of funds on deposit in the escrow sub-account on the date of disbursement (total of 0.3100% of funds in the escrow sub-account) to:

Charles and Joan Brantner  
108 Laurel Ave.  
Thurmont, MD 21788

0.556% of funds attributable to Tract 5, being 0.3098% of funds on deposit in the escrow sub-account on the date of disbursement, and, 0.556% of funds attributable to Tract 8, being 0.0002% of funds on deposit in the escrow sub-account on the date of disbursement (total of 0.3100% of funds in the escrow sub-account) to:

Frances Johnson  
308 Dodson Dr.  
Rising Sun, MD 21911

2.50% of funds attributable to Tract 5, being 1.3939% of funds in the escrow sub-account on the date of disbursement, and 2.50% of funds attributable to Tract 8, being 0.0008% of funds on deposit in the escrow sub-account on the date of disbursement (total of 1.3947% of funds in the escrow sub-account) to:

Elmer Reedy  
1470 Clayton St.  
Perryville, MD 21903

2.50% of funds attributable to Tract 5, being 1.3939% of funds in the escrow sub-account on the date of disbursement, and 2.50% of funds attributable to Tract 8, being 0.0008% of funds on deposit in the escrow sub-account on the date of disbursement (total of 1.3947% of funds in the escrow sub-account) to:

Dorothy Sodolski  
1309 Independence Dr.  
Orange Park, FL 32065

0.556% of funds attributable to Tract 5, being 0.3098% of funds on deposit in the escrow sub-account on the date of disbursement, and, 0.556% of funds attributable to Tract 8, being 0.0002% of funds on deposit in the escrow sub-account on the date of disbursement (total of 0.3100% of funds in the escrow sub-account) to:

Buchanan Production Co.  
P. O. Box 947  
Bluefield, VA 24605

6.668% of funds attributable to Tract 5, being 3.7172% of funds in the escrow sub-account on the date of disbursement, and 6.668% of funds attributable to Tract 8, being 0.0022% of funds on deposit in the escrow sub-account on the date of disbursement (total of 3.7194% of funds in the escrow sub-account) to:

Harrison-Wyatt, LLC  
C/O Wyatt Buick Pontiac, Inc.  
P. O. Box 11000  
Danville, VA 24543

- (3) Disburse funds attributable to the conflicting interests of Buchanan Production Company, and Harrison-Wyatt, LLC in VGOB Tracts 3 and 7 as follows: 86.6% of funds attributable to Tract 3, being 3.1375% of funds on deposit in the escrow sub-account on the date of disbursement, and 2.56% of funds attributable to Tract 7, being 0.0047% of funds on deposit in the escrow sub-account on the date of disbursement (total of 3.1422% of funds in the escrow sub-account) to:

Buchanan Production Co.  
P. O. Box 947  
Bluefield, VA 24605

86.6% of funds attributable to Tract 3, being 3.1375% of funds on deposit in the escrow sub-account on the date of disbursement, and 2.56% of funds attributable to Tract 7, being 0.0047% of funds on deposit in the escrow sub-account on the date of disbursement (total of 3.1422% of funds in the escrow sub-account) to:

Harrison-Wyatt, LLC  
C/O Wyatt Buick Pontiac, Inc.  
P. O. Box 11000  
Danville, VA 24543

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted in toto and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of Jerry and Phyllis Raines and Big Axe Land Company (Harrison-Wyatt, LLC) in Tracts 1 and 2, and Charles and Joan Brantner, Frances Johnson, Elmer Reedy, Dorothy Sodolski and Buchanan Production Company and Big Axe Land Company (Harrison-Wyatt, LLC) in Tracts 5 and 8, and Charles and Buchanan Production Company and Big Ax Land Company (Harrison-Wyatt, LLC) in Tracts 3 and 7 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and IT IS SO ORDERED.

8. **Appeals:**

Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 13<sup>th</sup> day of October, 2005, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 13<sup>th</sup> day of October, 2005, by an Order of this Board.

  
B. R. Wilson  
Principal Executive to the Staff  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA )  
COUNTY OF ~~WISE~~ )

Washington 13<sup>th</sup> October  
Acknowledged on this 13<sup>th</sup> day of October, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say

that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
~~Susan G. Garrett~~  
Notary Public

My Commission expires: 9/30/09

COMMONWEALTH OF VIRGINIA     )  
COUNTY OF WASHINGTON         )

Acknowledged on this 13<sup>th</sup> day of October, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires: 9/30/09

**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 9/30/04**

**Unit T-16 (62.29 acres escrowed)**

Owners	Tract #	Acres	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners \$18,676.91
Harrison-Wyatt, LLC - Coal	1	7.08	11.3662%	5.6831%	\$1,061.43
Jerry Raines - O&G				5.6831%	\$1,061.43
Harrison-Wyatt, LLC - Coal	2	15.50	24.8836%	12.4418%	\$2,323.74
Jerry Raines - O&G				12.4418%	\$2,323.74
Harrison-Wyatt, LLC - Coal	3	4.51	7.2403%	3.6202%	\$676.13
Jessie Childress Heirs - O&G				3.6202%	\$676.13
a) Buchanan Production Company (143/165)				3.1375%	\$585.98
Harrison-Wyatt, LLC - Coal	5	34.73	55.7553%	27.8777%	\$5,206.69
W.H. Reedy Heirs - O&G				27.8777%	\$5,206.69
a) Frances W. Johnson (1/90)				0.3098%	\$57.85
b) Joan W. Brantner (1/90)				0.3098%	\$57.85
c) Elmer Reedy (1/20)				1.3939%	\$260.33
d) Dorothy R. Sodolski (1/20)				1.3939%	\$260.33
e) Buchanan Production Company (1/90)	0.3098%	\$57.85			
Harrison-Wyatt, LLC - Coal	6	0.22	0.3532%	0.1766%	\$32.98
ICCC - O&G				0.1766%	\$32.98
Harrison-Wyatt, LLC - Coal	7	0.23	0.3692%	0.1846%	\$34.48
Vicey McGlothlin Heirs - O&G				0.1846%	\$34.48
a) Buchanan Production Company (1/39)				0.0047%	\$0.88
Harrison-Wyatt, LLC - Coal	8	0.02	0.0321%	0.0161%	\$3.00
W.H. Reedy Heirs - O&G				0.0161%	\$3.00
a) Frances W. Johnson (1/90)				0.0002%	\$0.03
b) Joan W. Brantner (1/90)				0.0002%	\$0.03
c) Elmer Reedy (1/20)				0.0008%	\$0.15
d) Dorothy R. Sodolski (1/20)				0.0008%	\$0.15
e) Buchanan Production Company (1/90)	0.0002%	\$0.03			

*\*Note: To calculate the percent of escrow per owner, take the total acres escrowed and divide by the individual tract acres, then divide the result by 2. (Divide by 2 because the owners have agreed to split to money equally.*

11/02/2004

**VIRGINIA:**

**AFFIDAVIT**

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**IN RE: Pertaining to Applicants/Plaintiffs, Jerry Raines and Phyllis Raines, Big Axe Tract 19, which includes Unit T-16 (Tract 1 & 2) as created by Board Order as VGOB 92-1117-0283**

**Application of Jerry Raines and Phyllis Raines Plaintiffs/Applicants resulting from action brought before the Buchanan County Circuit Court, styled Ratliff, et al v. Harrison – Wyatt, LLC, for disbursement of escrowed funds on behalf of the Plaintiffs/Applicants in Unit T-16, (Tract 1 & 2) VGOB Docket No. 92-1117-0283-01 in the Hurricane District, Buchanan County, Virginia**

**AFFIDAVIT OF PETER G. GLUBIAK, COUNSEL FOR APPLICANTS LISTED ABOVE REGARDING SUPPLEMENTAL ORDER AND DISBURSEMENT OF FORCED POOLING UNIT FUNDS**

**Peter G. Glubiak (herein Affiant), being first duly sworn on oath, deposes and says:**

1. That your Affiant, Peter G. Glubiak, Glubiak Law Offices, a discreet and competent attorney licensed in the State of Virginia, whose office is located at P. O. Box 144, Aylett, Virginia 23009; and that your Affiant is the attorney for the Applicants listed above and has been the attorney of record for Applicants throughout the judicial proceedings described below;
2. That pursuant to Order and Supplemental Order certain funds have been escrowed with regard to the Applicants above for Unit T-16 with the Virginia Gas and Oil Board;
3. Conflicting claim as shown on Orders and Supplemental Orders for the escrowed funds for above-referenced unit arose between Applicants and Harrison – Wyatt, LLC, coal owner underlying Applicants tracts of property as described below;
4. In order to resolve this conflict, a Motion for Judgment Pursuant to Declaratory Judgment Act, Virginia Code § 8.01-184 was filed on August 14, 2000 by Applicants listed above in the Circuit Court of Buchanan County, Virginia, Styled DONALD RATLIFF, et al v. HARRISON – WYATT, LLC, Case Number: CL187-00;
5. Pursuant to trial and Order of the Court, the Honorable Judge Keary R. Williams, Chief Judge of the Circuit Court of Buchanan County, Virginia rendered an Opinion Letter dated August 29, 2002, and an Amendment To Opinion Letter, Page 7, Paragraph 2 dated December 6, 2002, in favor of the Plaintiffs; and pursuant to statute, the Virginia Gas and Oil Board was Ordered to distribute the funds held in escrow attributable to the Applicants listed above;
6. The Decision of the Buchanan County Circuit Court was appealed to the Virginia Supreme Court and pursuant to Order dated March 5, 2004 the Decision of the Buchanan County Circuit Court was affirmed by unanimous opinion of the Virginia Supreme Court, resulting in a final non-appealable order pursuant to statute. It is the Order of the Virginia Supreme Court as well as the original Order of the Buchanan County Circuit Court under which Applicants,

represented by Affiant, apply for the distribution of funds held on escrow for the above-referenced Unit;

7. The interest in claims of all persons involved in the funds currently held in escrow by the Virginia Gas and Oil Board have been determined by a final non-appealable Order of Court and the ownership of the escrowed funds has also been the subject of a Circuit Court Order, which has subsequently been affirmed by the Virginia Supreme Court. It is Affiant's position that the matter has finally been determined and that therefore as the attorney on behalf of the Applicants listed above, he seeks distribution of all funds currently held in escrow for this unit, as well as those funds to be deposited at any later date pertaining to this unit;

8. Unit T-16, (Tract 1 & 2) created by Board Order as VGOB 92-1117-0283-01, is subject to disbursement of funds due to the Court's Decision regarding ownership; and

9. There are no other parties interested in these funds other than those who have previously been notified, including Harrison – Wyatt, LLC, by its Attorney, J. Scott Sexton, and CNX Energy, pursuant to the Orders and Supplemental Orders on file with the board.

Further saith Affiant not.

Dated at Aylett, Virginia, this 16 day of December, 2004.

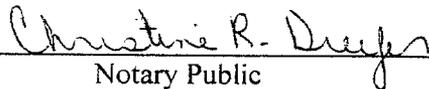


\_\_\_\_\_  
Peter G. Glubiak, Affiant

COMMONWEALTH OF VIRGINIA:  
CITY/COUNTY OF King William, to-wit:

I, the undersigned, a Notary Public, in and for the County aforesaid, in the State of Virginia, do certify that, **PETER G. GLUBIAK**, Affiant, has acknowledged the foregoing writing before me in my County and State aforesaid.

Given under my hand this 16<sup>th</sup> day of December, 2004.



\_\_\_\_\_  
Notary Public

My commission expires: October 31, 2008

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 94-1024-0476 -D)

RELIEF SOUGHT: (1) DISBURSEMENT FROM  
ESCROW REGARDING TRACT(S) 3, 5, 7, 8  
(2) AND AUTHORIZATION FOR DIRECT  
PAYMENT OF ROYALTIES

HEARING DATE: October 19, 2004

DRILLING UNIT: T-16

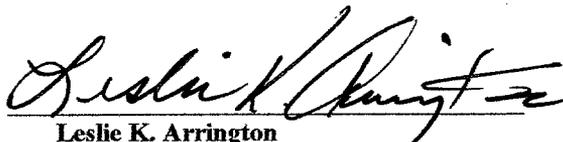
BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

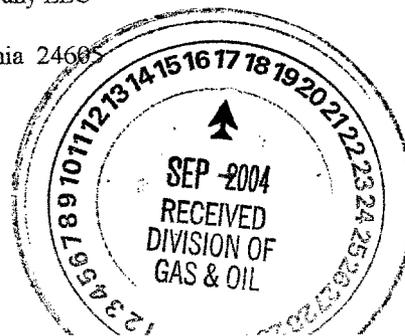
1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, P. O. Box 947, Bluefield, Virginia 24605, 276/988-1000. Petitioner's counsel is Mark A. Swartz, **Swartz & Stump, L.C.**, P.O. Box 517, Abingdon, VA 24212.
2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to portions of Tract(s) 3, 5, 7 and 8 as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Harrison-Wyatt, LLC and Buchanan Production Company, Frances W. Johnson, Joan W. Brantner, Elmer Reedy and Dorothy R. Sodolski.
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.
4. **Type of well(s):** Coalbed methane.
5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Buchanan Production Company, Frances W. Johnson, Joan W. Brantner, Elmer Reedy and Dorothy R. Sodolski, have entered into a royalty split agreement. Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid, to-wit: 3.45214 total percent of escrow to Harrison-Wyatt, LLC and 3.45214 total percent of escrow to Buchanan Production Company, and 0.30993 total percent of escrow to Frances W. Johnson and Joan W. Brantner, individually; 1.39469 total percent of escrow Elmer Reedy and Dorothy Sodolski, individually.
6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC  
BY IT'S PROFESSIONAL MANAGER  
CNX GAS COMPANY LLC, PETITIONER

By:



Leslie K. Arrington  
Manager - Environmental / Permitting  
CNX Gas Company LLC  
P.O. Box 947  
Bluefield, Virginia 24605  
276/988-1000



BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Unit T-16  
VGOB 92-1215-0304 & 94-1024-0476 in the Garden and South Grundy Districts of Buchanan County, Virginia

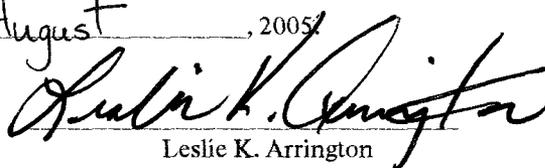
SUPPLEMENTAL AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator")

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

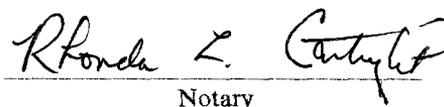
That at the time of the entry of the final Supplemental Order executed April 18, 1995 the identity and addresses of the persons identified collectively as the W.H. Reedy Heirs, Devisees, Successors or Assigns were pooled as "unknown". After entry of the order, the designated operator through its continuing due diligence has identified and located the W.H. Reedy Heirs and they are listed on Revised Exhibit B, attached hereto.

Subsequently, some, but not all, of the W.H. Reedy heirs and other persons identified in Exhibit EE, attached hereto, entered into royalty split agreements allowing them to be paid directly by the designated operator in accord with the terms of their split agreements so as to not require Board escrow.

Dated at Tazewell, Virginia, this 18<sup>th</sup> day of August, 2005.

  
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental / Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 18<sup>th</sup> day of August, 2005.

  
Notary

My commission expires: 10/31/05.

## Exhibit B

W.H. Reedy Heirs, Devisees,  
Successors or Assigns, et al.

- |   |       |
|---|-------|
| (a) Exie W. Cox<br>#5 Kelly Avenue<br>Bel Air, MD 21014               | 1/90  |
| (b) Mary W. Layman<br>2352 Telegraph Road<br>Rising Sun, MD 21911     | 1/90  |
| (c) D. Frances W. Johnson<br>308 Dodson Drive<br>Rising Sun, MD 21911 | 1/90  |
| (d) Ada W. Hamilton<br>5408 Thurton Lane<br>Port Orange, FL 32127     | 1/90  |
| (e) R. June W. Yale<br>423 Lombard Road<br>Rising Sun, MD 21911       | 1/90  |
| (f) Joan W. Brantner<br>108 Laurel Avenue<br>Thurmont, MD 21788       | 1/90  |
| (g) Curtis Meaders<br>313 King Street<br>Elkton, MD 21921             | 1/90  |
| (h) Howard L. Webb<br>8012 East Monte<br>Mesa, AZ 85208               | 1/360 |
| (i) Lucille W. Perkins<br>483 Sylmar Road<br>Rising Sun, MD 21911     | 1/360 |
| (j) Kirk L. Webb<br>Rt. 3, Box 804<br>Spring City, TN 37381           | 1/360 |
| (k) Mary W. Jacobsen<br>937 Plantation Road<br>Key Largo, FL 32127    | 1/360 |
| (l) Clarence Elkins<br>Rt. 1, Box 501<br>Swords Creek, VA 24646       | 1/10  |
| (m) Eugene Reedy<br>885 Old Field Point Road<br>Elkton, MD 21921      | 1/60  |
| (n) Arvil Reedy<br>20 Pisqahview Avenue<br>Ashville, NC 28803         | 1/60  |
| (o) Leona R. Rose<br>P. O. Box 106<br>Squire, WV 24884                | 1/60  |

## Exhibit B

W.H. Reedy Heirs, Devisees,  
Successors or Assigns, et al.

(p) Ovella R. Griggs 55 Brook Lane Elkton, MD 21921	1/60
(q) Viola R. Holman 91 Bard Cameron Road Rising Sun, MD 21911	1/60
(r) Nona Bell R. Schuler 1603 Chrome Road Oxford, PA 19363	1/60
(s) Clyde Webb 92 Hill Top Road Elkton, MD 21921	1/80
(t) Homer Webb 513 Harrington Road Rising Sun, MD 21911	1/80
(u) Victor C. Webb !6 Nellies Corner Road Rising Sun, MD 21911	1/80
(v) Edith W. Morgan 11 Frederick Way Oxford, PA 19363	1/80
(w) Hubert W. Webb 6151 Harrisville Road Colora, MD 21917	1/80
(x) J. Dennis Webb 8 Cherry Lane Elkton, MD 21921	1/80
(y) Zeola W. Shupe 24 North Pardue Avenue New Castle, DE 19720	1/80
(z) Thelma W. Howell 193 Ridge Road Nottingham, PA 19362	1/80
(aa) Sandi T. Vandyke P. O. Box 2404 Elkton, MD 21922	2/10
(bb) Elmer Reedy 1470 Clayton Street Perryville, MD 21903	1/20
(cc) Dorothy R. Sodolski 1309 Independence Drive Orange Park, FL 32065	1/20
(dd) Sadie R. Cox 704 Elkton Blvd. Elkton, MD 21921	1/10

## Exhibit B

W.H. Reedy Heirs, Devisees,  
Successors or Assigns, et al.

(ee) Ada B. Reedy P. O. Box 70 Van, WV 25206	1/10
(ff) Earl H. Hurford Rd. 9, Box 266H Coatesville, PA 19320	1/40
(gg) Donald Hurford P. O. Box 315 Boyertown, PA 19512	1/40
(hh) Lester D. Hurford Rd. 9, Box 266H Coatesville, PA 19320	1/40
(ii) Lester Dean Miller RD1 Box 191-A Cochranville, PA 19330	1/40
(2) Buchanan Production Company P. O. Box 947 Bluefield, VA 24605 (Purchased interest from Lettie Coleman)	1/90

**Exhibit EE**  
**UNIT T-16**  
**Beatrice Mine Area**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #3, 4.51 Acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, LLC c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	4.51 acres	5.63750%	7.24033%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Jessie Childress Heirs, et al.	4.51 acres	5.63750%	7.24033%
(d) Buchanan Production Company P. O. Box 947 Bluefield, VA 24605	3.909 acres 143/165 of 4.51 acres	4.88583%	6.27495%
<b><u>Tract #5, 34.73 Acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, LLC c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	34.73 acres	43.41250%	55.75534%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) W. H. Reedy Heirs, Devisees, Successors or Assigns et al.	34.73 acres	43.41250%	55.75534%
(c) D. Frances W. Johnson 308 Dodson Drive Rising Sun, MD 21911	0.386 acres 1/90 of 34.73 acres	0.48236%	0.61950%
(f) Joan W. Brantner 108 Laurel Avenue Thurmont, MD 21788	0.386 acres 1/90 of 34.73 acres	0.48236%	0.61950%
(bb) Elmer Reedy 1470 Clayton Street Perryville, MD 21903	1.737 acres 1/20 of 34.73 acres	2.17063%	2.78777%
(cc) Dorothy R. Sodolski 4113 Laurelwood Drive Jacksonville, FL 32257	1.737 acres 1/20 of 34.73 acres	2.17063%	2.78777%
(2) Buchanan Production Company P. O. Box 947 Bluefield, VA 24605	0.386 acres 1/90 of 34.73 acres	0.48236%	0.61950%

Exhibit EE  
UNIT T-16  
Beatrice Mine Area  
Docket #VGOB-94-10/24-0476-01  
List of Conflicting Owners/Claimants with Royalty Split Agreements

		Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #7, 0.23 Acres</u></b>				
<b><u>COAL FEE OWNERSHIP</u></b>				
(1)	Harrison-Wyatt, LLC c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.23 acres	0.28750%	0.36924%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>				
(1)	Vicey McGlothlin Heirs, Deviseses, Successors or Assigns et al.	0.23 acres	0.28750%	0.36924%
(2)	Buchanan Production Co. P. O. Box 947 Bluefield, VA 24605	0.0059 acres 1/39 of 0.23 acres	0.00737%	0.00947%
<b><u>Tract #8, 0.02 Acres</u></b>				
<b><u>COAL FEE OWNERSHIP</u></b>				
(1)	Harrison-Wyatt, LLC c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.02 acres	0.02500%	0.03211%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>				
(1)	W. H. Reedy Heirs, Deviseses, Successors or Assigns et al.	0.02 acres	0.02500%	0.03211%
(c)	D. Frances W. Johnson 308 Dodson Drive Rising Sun, MD 21911	0.0002 acres 1/90 of 0.02 acres	0.00028%	0.00036%
(f)	Joan W. Brantner 108 Laurel Avenue Thurmont, MD 21788	0.0002 acres 1/90 of 0.02 acres	0.00028%	0.00036%
(bb)	Elmer Reedy 1470 Clayton Street Perryville, MD 21903	0.0010 acres 1/20 of 0.02 acres	0.00125%	0.00161%
(cc)	Dorothy R. Sodolski 4113 Laurelwood Drive Jacksonville, FL 32257	0.0010 acres 1/20 of 0.02 acres	0.00125%	0.00161%
(2)	Buchanan Production Company P. O. Box 947 Bluefield, VA 24605	0.0002 acres 1/90 of 0.02 acres	0.00028%	0.00036%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
<b><u>Tract #3, 4.51 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Big Axe Land Company, Tr.19 c/o Landon R. Wyatt, Jr. Wyatt Buick Sales Danville, VA 24541	4.51 acres	5.63750%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Jessie Childress Heirs, et al.	4.51 acres	5.63750%
(a) Phyllis Everett 4472 Dike Road Winter Park, FL 32792	0.273 acres 2/33 of 4.51 acres	0.34167%
(b) Eleanor Hankins 2819 Broadwood Drive Knoxville, TN 37917	0.273 acres 2/33 of 4.51 acres	0.34167%
(c) Louise & Lester Agee 7601 Bull Run Road Manassas, VA 22110	0.055 acres 2/165 of 4.51 acres	0.06833%
<b><u>Tract #5, 34.73 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Big Axe Land Company, Tr.19 c/o Landon R. Wyatt, Jr. Wyatt Buick Sales Danville, VA 24541	34.73 acres	43.41250%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) W. H. Reedy Heirs, Devisees, Successors or Assigns et al.	34.73 acres	43.41250%
(a) Exie W. Cox #5 Kelly Avenue Bel Air, MD 21014	0.386 acres 1/90 of 34.73 acres	0.48236%
(b) Mary W. Layman 2352 Telegraph Road Rising Sun, MD 21911	0.386 acres 1/90 of 34.73 acres	0.48236%
(d) Ada W. Hamilton 5408 Thurton Lane Port Orange, FL 32127	0.386 acres 1/90 of 34.73 acres	0.48236%
(e) R. June W. Yale 423 Lombard Road Rising Sun, MD 21911	0.386 acres 1/90 of 34.73 acres	0.48236%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
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	Acres in Unit	Percent of Unit
(g) Curtis Meaders 313 King Street Elkton, MD 21921	0.386 acres 1/90 of 34.73 acres	0.48236%
(h) Howard L. Webb 8012 East Monte Mesa, AZ 85208	0.096 acres 1/360 of 34.73 acres	0.12059%
(i) Lucille W. Perkins 483 Sylmar Road Rising Sun, MD 21911	0.096 acres 1/360 of 34.73 acres	0.12059%
(j) Kirk L. Webb Rt. 3, Box 804 Spring City, TN 37381	0.096 acres 1/360 of 34.73 acres	0.12059%
(k) Mary W. Jacobsen 937 Plantation Road Key Largo, FL 32127	0.096 acres 1/360 of 34.73 acres	0.12059%
(l) Clarence Elkins Rt. 1, Box 501 Swords Creek, VA 24646	3.473 acres 1/10 of 34.73 acres	4.34125%
(m) Eugene Reedy 885 Old Field Point Road Elkton, MD 21921	0.579 acres 1/60 of 34.73 acres	0.72354%
(n) Arvil Reedy 20 Pisqahview Avenue Ashville, NC 28803	0.579 acres 1/60 of 34.73 acres	0.72354%
(o) Leona R. Rose P. O. Box 106 Squire, WV 24884	0.579 acres 1/60 of 34.73 acres	0.72354%
(p) Ovella R. Griggs 55 Brook Lane Elkton, MD 21921	0.579 acres 1/60 of 34.73 acres	0.72354%
(q) Viola R. Holman 91 Bard Cameron Road Rising Sun, MD 21911	0.579 acres 1/60 of 34.73 acres	0.72354%
(r) Nona Bell R. Schuler 1603 Chrome Road Oxford, PA 19363	0.579 acres 1/60 of 34.73 acres	0.72354%
(s) Clyde Webb 92 Hill Top Road Elkton, MD 21921	0.434 acres 1/80 of 34.73 acres	0.54266%
(t) Homer Webb 513 Harrington Road Rising Sun, MD 21911	0.434 acres 1/80 of 34.73 acres	0.54266%

**Exhibit E**  
**UNIT T-16**  
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	Acres in Unit	Percent of Unit
(u) Victor C. Webb 16 Nellies Corner Road Rising Sun, MD 21911	0.434 acres 1/80 of 34.73 acres	0.54266%
(v) Edith W. Morgan 11 Frederick Way Oxford, PA 19363	0.434 acres 1/80 of 34.73 acres	0.54266%
(w) Hubert W. Webb 6151 Harrisville Road Colora, MD 21917	0.434 acres 1/80 of 34.73 acres	0.54266%
(x) J. Dennis Webb 8 Cherry Lane Elkton, MD 21921	0.434 acres 1/80 of 34.73 acres	0.54266%
(y) Zeola W. Shupe 24 North Pardue Avenue New Castle, DE 19720	0.434 acres 1/80 of 34.73 acres	0.54266%
(z) Thelma W. Howell 193 Ridge Road Nottingham, PA 19362	0.434 acres 1/80 of 34.73 acres	0.54266%
(aa) Sandi T. Vandyke P. O. Box 2404 Elkton, MD 21922	6.946 acres 2/10 of 34.73 acres	8.68250%
(dd) Sadie R. Cox 704 Elkton Blvd. Elkton, MD 21921	3.473 acres 1/10 of 34.73 acres	4.34125%
(ee) Ada B. Reedy P. O. Box 70 Van, WV 25206	3.473 acres 1/10 of 34.73 acres	4.34125%
(ff) Earl H. Hurford Rd. 9, Box 266H Coatesville, PA 19320	0.868 acres 1/40 of 34.73 acres	1.08531%
(gg) Donald Hurford P. O. Box 315 Boyertown, PA 19512	0.868 acres 1/40 of 34.73 acres	1.08531%
(hh) Lester D. Hurford Rd. 9, Box 266H Coatesville, PA 19320	0.868 acres 1/40 of 34.73 acres	1.08531%
(ii) Lester Dean Miller RD1 Box 191-A Cochranville, PA 19330	0.868 acres 1/40 of 34.73 acres	1.08531%

Exhibit E  
UNIT T-16  
BEATRICE MINE AREA  
Docket #VGOB-94-10/24-0476-01  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<b><u>Tract #6, 0.22 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.22 acres	0.27500%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Island Creek Coal Company Drawer L Oakwood, VA 24631	0.22 acres	0.27500%
<b><u>Tract #7, 0.23 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Big Axe Land Company, Tr.19 c/o Landon R. Wyatt, Jr. Wyatt Buick Sales Danville, VA 24541	0.23 acres	0.28750%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Vacey McGlothlin Heirs, Devisees, Successors or Assigns et al.	0.23 acres	0.28750%
(1) Julia McGlothlin Jackson Heirs, Devisees, Successors or Assigns		
(a) Bessie J. Hammonds, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(b) Myrtle Jackson Hale Rt. 1 Box 182-B Lebanon, VA 24266	0.001769 acres 1/130 of 0.23 acres	0.00221%
(c) Carlous Jackson Rt. 2 Box 77 Oakwood, VA 24631	0.000590 acres 1/390 of 0.23 acres	0.00074%
(d) Dallas Jackson Rt. 2 Box 77 Oakwood, VA 24631	0.000590 acres 1/390 of 0.23 acres	0.00074%
(e) Patsy Ruth Coleman 1061 Conn Street Imperial Beach, CA 92032	0.000590 acres 1/390 of 0.23 acres	0.00074%
(f) Gracie Jackson Hale Rt. 1, Box 68-A Swords Creek, VA 24649	0.001769 acres 1/130 of 0.23 acres	0.00221%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
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	Acres in Unit	Percent of Unit
(g) Lydia Jackson, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(h) Curtis Jackson, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(i) Ardella Jackson, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(j) Ocie Robinson, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(k) Jeff Jackson, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(l) Mary Jackson Justus, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(2) Virgie Dotson Heirs, Devisees, Successors or Assigns		
(a) Edward Dotson Rt. 1 Box 85 Vansant, VA 24656	0.002212 acres 1/104 of 0.23 acres	0.00276%
(b) Joyce Owens P. O. Box 214 Vansant, VA 24656	0.002212 acres 1/104 of 0.23 acres	0.00276%
(c) James Dotson Box 447 South Levisa Road Mouthcard, KY 41548	0.002212 acres 1/104 of 0.23 acres	0.00276%
(d) Geraldine Ratliff 1046 Parkside Drive Georgetown, KY 40324	0.002212 acres 1/104 of 0.23 acres	0.00276%
(3) Edd Looney Rt. 1, Box 74 Vansant, VA 24656	0.008846 acres 1/26 of 0.23 acres	0.01106%
(4) Kay Childress 103 1/2 Luther Street Bluefield, VA 24605	0.000354 acres 1/650 of 0.23 acres	0.00044%
(5) Ancil Childress Box 216 Rowe, VA 24646	0.000354 acres 1/650 of 0.23 acres	0.00044%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
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	Acres in Unit	Percent of Unit
(6) L.C. Childress Heirs, Devisees, Successors or Assigns		
(a) Annette Childress P.O. Box 301 Honaker, VA 24260	0.000118 acres 1/1950 of 0.23 acres	0.00015%
(b) Denise & Ron Blankenship P.O. Box 301 Honaker, VA 24260	0.000079 acres 1/2925 of 0.23 acres	0.00010%
(c) Karen & Richard Bostic P.O. Box 373 Swords Creek, VA 24649	0.000079 acres 1/2925 of 0.23 acres	0.00010%
(d) Deborah & Berk Artrip Rt. 2 Box 674 Swords Creek, VA 24649	0.000079 acres 1/2925 of 0.23 acres	0.00010%
(7) Janice Hodock Rt. 2 Box 227 Bluefield, VA 24605	0.000354 acres 1/650 of 0.23 acres	0.00044%
(8) James H. Childress Rt. 1 Box 263-A Honaker, VA 24260	0.000354 acres 1/650 of 0.23 acres	0.00044%
(9) Lillie C. Bailey, Heirs, Devisees, Successors or Assigns Address Unknown	0.001769 acres 1/130 of 0.23 acres	0.00221%
(10) John B. Childress Heirs, Devisees, Successors or Assigns		
(a) Reves Childress Box 410-L Kelly Road Gainesville, VA 22065	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(b) Gertrude Mudiman 8503 Thomas Drive Manassas, VA 22110	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(c) Robert E. Childress Rt. 1 Box 553-A Elkton, VA 22827	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(d) Madilee Wnek 8006 Rugby Road Manassas, VA 22111	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(e) Arbutus Childress c/o Madilee Wnek 8006 Rugby Road Manassas, VA 22111	0.000177 acres 1/1300 of 0.23 acres	0.00022%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
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	Acres in Unit	Percent of Unit
(f) John R. Childress 16000 Laconia Circle Woodbridge, VA 22191	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(g) Donald R. Childress 826 Glades Court NE St. Petersburg, FL 33702	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(h) Zed L. Childress 13989 Dancing Twig Drive Gainesville, VA 22065	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(i) Diane Blair P.O. Box 1733 Haines City, FL 33844	0.000177 acres 1/1300 of 0.23 acres	0.00022%
(11) Fayrene Childress Heirs, Devisees, Successors or Assigns		
(a) Michael Clayborn 823 East 6th Street Front Royal, VA 22630	0.000029 acres 1/7800 of 0.23 acres	0.00004%
(b) Steven Clayborn 10260 Battle Field Drive Manassas, VA 22110	0.000029 acres 1/7800 of 0.23 acres	0.00004%
(c) Timothy Clayborn 8103 Maplewood Manassas, VA 22111	0.000029 acres 1/7800 of 0.23 acres	0.00004%
(d) Jeffery Clayborn c/o Timothy Clayborn 8103 Maplewood Manassas, VA 22111	0.000029 acres 1/7800 of 0.23 acres	0.00004%
(e) Anthony Clayborn c/o Timothy Clayborn 8103 Maplewood Manassas, VA 22111	0.000029 acres 1/7800 of 0.23 acres	0.00004%
(f) Regina Smith, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.000029 acres 1/7800 of 0.23 acres	0.00004%
(12) Vida C. Murphy, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(13) Julia C. Lowe Heirs, Devisees, Successors or Assigns		
(a) Ira Lowe Rt. 2 Box 506 Honaker, VA 24260	0.000197 acres 1/1170 of 0.23 acres	0.00025%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(b) Lucille Blankenship Box 107A Rowe, VA 24646	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(c) Sue Meade Rt. 2 Box 515 Honaker, VA 24260	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(d) Helen Wyatt Box 2, Russell Street North Wilkesboro, NC	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(e) Fred Lowe Rt. 2 Box 506 Honaker, VA 24260	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(f) James Bill & Nancy Lowe 835 Martinsburg Rd. Mt. Vernon, OH	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(g) Paul Lowe Rt. 2 Honaker, VA 24260	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(h) Henry Lowe Box 2, Russell Street North Wilkesboro, NC	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(i) Arbutus Smith Whitesville, WV	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(14) Farley Childress P.O. Box 72 Rowe, VA 24642	0.001769 acres 1/130 of 0.23 acres	0.00221%
(15) Ronkeith Childress, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001769 acres 1/130 of 0.23 acres	0.00221%
(16) Allen Childress 127 Manassas Drive Manassas Park, VA 22111	0.001769 acres 1/130 of 0.23 acres	0.00221%
(17) Lottie Childress Fields Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>		
(18) Otis Fields Star Rt. Box 120 Rowe, VA 24642	0.000885 acres 1/260 of 0.23 acres	0.00111%
(19) Hazel Keen, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.000885 acres 1/260 of 0.23 acres	0.00111%
(20) Louise Childress Huges Heirs, Devisees, Successors or Assigns		
(a) Alice Coleman	0.000442 acres	0.00055%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
P.O. Box 945 Abingdon, VA 24210	1/520 of 0.23 acres	
(b) Lee Hughes P.O. Box 444 Doran, VA	0.000442 acres 1/520 of 0.23 acres	0.00055%
(c) Thurman Hughes 4612 New Garden St. Portsmouth, OH 45662	0.000442 acres 1/520 of 0.23 acres	0.00055%
(d) Gary Hughes Rt. 1 Box 263 Grundy, VA 24614	0.000442 acres 1/520 of 0.23 acres	0.00055%
(21) Raymond Guy & Barbara J. Boyd Box 541 Honaker, VA 24260	0.000184 acres 1/1248 of 0.23 acres	0.00023%
(22) Wanda Lee Boyd Rt. 1 Box 300-A Vansant, VA 24656	0.000184 acres 1/1248 of 0.23 acres	0.00023%
(23) Tivis Boyd, Jr. Rt. 1 Box 330-A Vansant, VA 24656	0.000184 acres 1/1248 of 0.23 acres	0.00023%
(24) Jennings Vandyke 7813 Tariton Rd. Circleville, OH 43113	0.000553 acres 1/416 of 0.23 acres	0.00069%
(25) Arthur H. Looney 4511 Herend Place Fairfax, VA 22032	0.000553 acres 1/416 of 0.23 acres	0.00069%
(26) Clarence Looney P. O. Box 11 Caretta, WV 24821	0.000553 acres 1/416 of 0.23 acres	0.00069%
(27) Elsie L. Ratliff Rt. 1, Box 227 Vansant, VA 24656	0.000553 acres 1/416 of 0.23 acres	0.00069%
(28) Faye L. Stevens P.O. Box 65 Pagaolia, CA 95954	0.000553 acres 1/416 of 0.23 acres	0.00069%
(29) Edna L. Breeding P.O. Box 2151 Pulaski, VA 24301	0.000553 acres 1/416 of 0.23 acres	0.00069%
(30) Juanita Price Rt. 1 Box 29-A Raven, VA 24639	0.000079 acres 1/2912 of 0.23 acres	0.00010%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

		Acres in Unit	Percent of Unit
(31)	Roger Paul Looney 7756 Pohick River Dr. Lorton, VA 22079	0.000079 acres 1/2912 of 0.23 acres	0.00010%
(32)	Martha & Warren Looney 9380 Whaleys Lake Trace Jonesboro, GA 30236	0.000079 acres 1/2912 of 0.23 acres	0.00010%
(33)	Charles Don Looney 10444 Greene Dr. Lorton, VA 22079	0.000079 acres 1/2912 of 0.23 acres	0.00010%
(34)	Janice Carol Looney P.O. Box 301 Oakwood, VA 24631	0.000079 acres 1/2912 of 0.23 acres	0.00010%
(35)	Lawrence Gary Looney P.O. Box 341 Oakwood, VA 24631	0.000079 acres 1/2912 of 0.23 acres	0.00010%
(36)	Loretta Joyce Stacy P. O. Box 116 Wolford, VA 24658	0.000079 acres 1/2912 of 0.23 acres	0.00010%
(37)	Clarence Childress 4000 Norris Drive Fredericksburg, VA 22401	0.004423 acres 1/52 of 0.23 acres	0.00553%
(38)	Dorothy & Fred Jacobson 1741 Indian River Road Virginia Beach, VA 24356	0.000092 acres 1/2496 of 0.23 acres	0.00012%
(39)	Charles L. Runyon 4233 Cardinal Lane Suffolk, VA 23434	0.000092 acres 1/2496 of 0.23 acres	0.00012%
(40)	Kay Phillips Star Route, Box 21 Bell Island Road Currituck, NC 27929	0.000092 acres 1/2496 of 0.23 acres	0.00012%
(41)	Kenneth Ray Runyon 4233 Cardinal Lane Suffolk, VA 23434	0.000092 acres 1/2496 of 0.23 acres	0.00012%
(42)	Brenda & Gerald Armentrout 2279 Airport Road Suffolk, VA 23434	0.000092 acres 1/2496 of 0.23 acres	0.00012%
(43)	Donna & Harry Cleveland 116 Burnetts Court Suffolk, VA 23434	0.000092 acres 1/2496 of 0.23 acres	0.00012%
(44)	James C. Suttle 2208 Cross Street Chesapeake, VA 23323	0.000553 acres 1/416 of 0.23 acres	0.00069%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(45) Perry VanDyke Rt. 2 Box 137 Cedar Bluff, VA 24609	0.000553 acres 1/416 of 0.23 acres	0.00069%
(46) Claude & Allene VanDyke P.O. Box 92 Haysi, VA 24256	0.000553 acres 1/416 of 0.23 acres	0.00069%
(47) Granville & Thelma VanDyke Rt. 2 Box 137 Cedar Bluff, VA 24609	0.000553 acres 1/416 of 0.23 acres	0.00069%
(48) Mary VanDyke Cook P.O. Box 250 Vansant, VA 24656	0.000553 acres 1/416 of 0.23 acres	0.00069%
(49) Fred VanDyke 1069 Cox Avenue Chesapeake, VA 23323	0.000553 acres 1/416 of 0.23 acres	0.00069%
(50) Marie & Charles Hale 132 Tennessee Kingsport, TN 37662	0.000553 acres 1/416 of 0.23 acres	0.00069%
(51) Jessie G. Childress Heirs, Devisees, Successors or Assigns		
(a) Virginia H. Childress 6102 Violet Street Kingsport, TN 37662	0.001474 acres 1/156 of 0.23 acres	0.00184%
(b) Fay & Lee Couch 129 S. Mulberry Street Madison, IN 47220	0.000268 acres 1/858 of 0.23 acres	0.00034%
(c) Eula Hensdill Rt. 1, Box 156 Castlewood, VA 24224	0.000268 acres 1/858 of 0.23 acres	0.00034%
(d) Madeline & Karl Tucker 1253 Ovington Road Jacksonville, FL 32216	0.000268 acres 1/858 of 0.23 acres	0.00034%
(e) Eleanor & Robert Hawkins 2719 Brookwood Drive Knoxville, TN 37917	0.000268 acres 1/858 of 0.23 acres	0.00034%
(f) Wanda & George Cochran, Jr. 324 First Street Gate City, VA 24251	0.000268 acres 1/858 of 0.23 acres	0.00034%
(g) Edith Presnell 3437 Rock Spring Baileys Crossroads, VA 22041	0.000268 acres 1/858 of 0.23 acres	0.00034%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(h) Phyllis Evertt 4472 Dike Road Winter Park, FL 32792	0.000268 acres 1/858 of 0.23 acres	0.00034%
(i) Beatrice Raleigh Rt. 6. Lt. 59 Hawkins Mobile Park Church Hill, TN 37642	0.000268 acres 1/858 of 0.23 acres	0.00034%
(j) Carl & Claudia Childress 7604 Covewood Drive Jacksonville, FL 32224	0.000268 acres 1/858 of 0.23 acres	0.00034%
(k) Emory & Katherine Childress 6102 Violet Street Kingsport, TN 37663	0.000268 acres 1/858 of 0.23 acres	0.00034%
(52) Pinkey Kitts Heirs, Devisees, Successors or Assigns		
(a) Verna & Joseph Taylor 8793 Loneline Road Richmond, VA 23229	0.000054 acres 1/4290 of 0.23 acres	0.00007%
(b) Louise & Lester Agee 7601 Bull Run Road Manassas, VA 22110	0.000054 acres 1/4290 of 0.23 acres	0.00007%
(c) Straley & Betty Kitts Rt. 4 Box 244 Madison Heights, VA 24572	0.000054 acres 1/4290 of 0.23 acres	0.00007%
(d) Warren & Jacqueline Kitts 5320 Twilight Road NW Roanoke, VA 24019	0.000054 acres 1/4290 of 0.23 acres	0.00007%
(e) Wendell & Angie Kitts Box 53 Bastian, VA 24314	0.000054 acres 1/4290 of 0.23 acres	0.00007%
(53) Daniel J. Looney Heirs, Devisees, Successors or Assigns		
(a) David C. Looney 3030 Tanglewood Dr. Clearwater, FL 34621	0.001474 acres 1/156 of 0.23 acres	0.00184%
(b) Nyrell V. Looney 829 Benjamin Place Virginia Beach, VA 23435	0.001474 acres 1/156 of 0.23 acres	0.00184%
(54) John C. Looney Heirs, Devisees, Successors or Assigns		
(a) Marceline Krause 2920 Bradley Avenue N.E. Roanoke, VA 24012	0.000885 acres 1/260 of 0.23 acres	0.00111%
(b) Harold Looney	0.000885 acres	0.00111%

**Exhibit E  
UNIT T-16  
BEATRICE MINE AREA  
Docket #VGOB-94-10/24-0476-01  
List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
Box 125 Grundy, VA 24614	1/260 of 0.23 acres	
(c) Jimmy B. Looney Box 745 Grundy, VA 24614	0.000885 acres 1/260 of 0.23 acres	0.00111%
(d) Larry Q. Looney Box 125 Grundy, VA 24614	0.000885 acres 1/260 of 0.23 acres	0.00111%
(e) Dollie Sue Grace Rt. 2 Lot 1 Springfield North Tazewell, VA 24012	0.000885 acres 1/260 of 0.23 acres	0.00111%
(55) Rosa Childress Heirs, Devisees, Successors or Assigns		
(a) Ruby & Oscar White P.O. Box 580 Oakwood, VA 24631	0.001106 acres 1/208 of 0.23 acres	0.00138%
(b) Jessie Childress Box 22 Vansant, VA 24656	0.001106 acres 1/208 of 0.23 acres	0.00138%
(c) Mary C. Miller, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001106 acres 1/208 of 0.23 acres	0.00138%
(56) Pauline M. Childress Box 84 Oakwood, VA 24631	0.000369 acres 1/624 of 0.23 acres	0.00046%
(a) Nancy & Robert Childress, Jr. P.O. Box Q Oakwood, VA 24631	0.000246 acres 1/936 of 0.23 acres	0.00031%
(b) Patricia & Larry Blankenship P.O. Box 881 Tazewell, VA 24651	0.000246 acres 1/936 of 0.23 acres	0.00031%
(c) Steven M. Childress 4313 Dearbrook Way Lilburn, GA 30247	0.000246 acres 1/936 of 0.23 acres	0.00031%
(57) Jettie Lee Shortridge, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001966 acres 1/117 of 0.23 acres	0.00246%
(58) Ferrell W. Shortridge, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.000655 acres 1/351 of 0.23 acres	0.00082%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(59) Frazier A. Shortridge, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.000655 acres 1/351 of 0.23 acres	0.00082%
(60) Judith Stiltner, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.000655 acres 1/351 of 0.23 acres	0.00082%
(61) Connie S. Sluder, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.000655 acres 1/351 of 0.23 acres	0.00082%
(62) Mable Mullins HCR Box 50-B Grundy, VA 24614	0.000655 acres 1/351 of 0.23 acres	0.00082%
(63) Harold Shortridge Rowe, VA	0.000655 acres 1/351 of 0.23 acres	0.00082%
(64) Hettie Elswick Hess Heirs, Devisees, Successors or Assigns	0.005897 acres 1/39 of 0.23 acres	0.00737%
(a) Bernard Elswick 11 South Meadow Drive Glen Burnie, MD 21060		
(b) Corina E. Nuckles 7366 Woodlawn Lane Warrenton, VA 20187-8953		
(c) Mrs. Arbutus Baldauf RR3 Box 306B Seaford, DE 19973-7517		
(65) Thurman Shortridge, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.005897 acres 1/39 of 0.23 acres	0.00737%
(66) Ruby McGlothlin 9302 Kittery Court Fairfax, VA 22031	0.000491 acres 1/468 of 0.23 acres	0.00061%
(67) Chrysteen & John Pevny 13036 Sheffield Drive Pickerington, OH 43147	0.000491 acres 1/468 of 0.23 acres	0.00061%
(68) Kenneth S. McGlothlin 1759 25th Avenue Vero Beach, FL 32960	0.000491 acres 1/468 of 0.23 acres	0.00061%
(69) Pamela & Tommy Jones 8131 East First Avenue Mesa, AZ 85208	0.000184 acres 1/1248 of 0.23 acres	0.00023%
(70) Carol & Sparky Barnett 701 S. County Club Lane Payson, AZ 85541	0.000184 acres 1/1248 of 0.23 acres	0.00023%
(71) Anna Lee & Clarence Hammer	0.000369 acres	0.00046%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
6309 Oak Grove Drive Norman, OK 73071	1/624 of 0.23 acres	
(72) Glen & Nena Jean Starkey 1132 W. Southern Avenue Tolleson, AZ 85353	0.000369 acres 1/624 of 0.23 acres	0.00046%
(73) Lendley & Marilyn Starkey 11225 S. Vernon Avenue Ontario, CA 91761	0.000369 acres 1/624 of 0.23 acres	0.00046%
(74) Julie S. McCoy, Heirs, Devisees Successors or Assigns		
(a) Nellie Crothers 550 Basin Run Road Conowingo, MD 21918	0.001474 acres 1/156 of 0.23 acres	0.00184%
(75) Carrie McGlothlin Heirs <i>(Luther H. &amp; Warren were Carrie's children, they are both deceased. Her interest of 1/468 was divided between i</i>		
(76) Luther H. McGlothlin Heirs		
(a) Melissa Kuglar 196 McGlothlin Road Conowingo, MD 21918	0.000737 acres 1/312 of 0.23 acres	0.00092%
(77) Warren McGlothlin Heirs		
(a) Debra Susan McGlothlin 22 Thruway Drive Colora, MD 21917	0.000123 acres 1/1872 of 0.23 acres	0.00015%
Debra Susan McGlothlin 22 Thruway Drive Colora, MD 21917	0.000246 acres 1/936 of 0.23 acres	0.00031%
(b) Allen Neal McGlothlin 40 McGlothlin Road Conowingo, MD 21918	0.000123 acres 1/1872 of 0.23 acres	0.00015%
Allen Neal McGlothlin 40 McGlothlin Road Conowingo, MD 21918	0.000246 acres 1/936 of 0.23 acres	0.00031%
(78) Arbutus McGlothlin 11 Sandhurst Lane Elkton, MD 21921	0.001474 acres 1/156 of 0.23 acres	0.00184%
(79) Mae McGlothlin 519 S. 47th Place Mesa, AZ 85008	0.000491 acres 1/468 of 0.23 acres	0.00061%
(80) Janet & John McGrath 9027 East Broadway Mesa, AZ 85208	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(81) June & Donald Donaldson 1273 Carr Avenue	0.000197 acres 1/1170 of 0.23 acres	0.00025%

**Exhibit E  
UNIT T-16  
BEATRICE MINE AREA  
Docket #VGOB-94-10/24-0476-01  
List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
Memphis, TN 38104		
(82) Marleen & James Keller 6340 E. Akron Street Mesa, AZ 85205	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(83) George & Alberta McGlothlin 6473 County Road #218 Jacksonville, FL 32234	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(84) Stephen & Naia McGlothlin 746 East 8th Avenue Mesa, AZ 85204	0.000197 acres 1/1170 of 0.23 acres	0.00025%
(85) Delford & Mary McGlothlin 833 14th Avenue North Jacksonville Beach, FL 32250	0.001474 acres 1/156 of 0.23 acres	0.00184%
(86) Virginia I. Shinault 224 McGlothlin Road Conowingo, MD 21918	0.001474 acres 1/156 of 0.23 acres	0.00184%
(87) John D. McGlothlin 11 Sandhurst Lane Elkton, MD 21921	0.001474 acres 1/156 of 0.23 acres	0.00184%
(88) Nellie J. McGlothlin Estate c/o Orpha J. Shmel, Executrix 626 Biggs Highway Rising Sun, MD 21911	0.001474 acres 1/156 of 0.23 acres	0.00184%
(89) Doris C. McGlothlin, Heirs, Devisees, Successors or Assigns		
(a) Roger McGlothlin 7633 Wilson Blvd. Jacksonville, FL 32210	0.001474 acres 1/156 of 0.23 acres	0.00184%
(90) Nancy M. Griffin 5746 Firestone Road Jacksonville, FL 32244	0.000098 acres 1/2340 of 0.23 acres	0.00012%
(91) John M. McGlothlin 4709 Daughtry Drive Jacksonville, FL 32244	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(92) Herman T. McGlothlin 868 Tookie Road Jacksonville, FL 32234	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(93) Kenneth P. McGlothlin 1759 25th Avenue Vero Beach, FL 32960	0.000153 acres 7/10530 of 0.23 acres	0.00019%

**Exhibit E  
UNIT T-16  
BEATRICE MINE AREA  
Docket #VGOB-94-10/24-0476-01  
List of Conflicting Owners/Claimants that require escrow**

		Acres in Unit	Percent of Unit
(94)	Nelson E. McGlothlin 7251 Striklin Lane Keystone Heights, FL 32656	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(95)	Jacob L. McGlothlin 860 Tookie Road Jacksonville, FL 32234	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(96)	David A. McGlothlin 181 Sonja Ellen Drive Jacksonville, FL 32234	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(97)	Phyllis D. Cline 424 Woodland Drive St. Albans, WV 25177	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(98)	Carol E. Lynch Rt. 2, 116 Manor Drive Hollywood, MD 20636	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(99)	Orpha J. Schlarbaum P.O. Box 1117 Glen St. Mary, FL 32040	0.000153 acres 7/10530 of 0.23 acres	0.00019%
(100)	Lonzo Murphy, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.017692 acres 1/13 of 0.23 acres	0.02212%
(101)	Vernie S. Baldrige Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>		
(102)	Opal Coleman Rt. 2 Continental, OH 45831	0.000230 acres 1/1001 of 0.23 acres	0.00029%
(103)	Lynn Griffith Ball Road, Rt. 5, House #20801 Defiance, OH 43512	0.000230 acres 1/1001 of 0.23 acres	0.00029%
(104)	Helen Meade Ball Road, Rt. 5, House #20767 Defiance, OH 43512	0.000230 acres 1/1001 of 0.23 acres	0.00029%
(105)	Billy Baldrige Rt. 2, 143512 Row B Leipsie, OH 45856	0.000230 acres 1/1001 of 0.23 acres	0.00029%
(106)	Elmer Baldrige Rt. 7, Arena Drive Defiance, OH 43512	0.000230 acres 1/1001 of 0.23 acres	0.00029%
(107)	Wilmer Baldrige Slusser Drive Rt. 7 Defiance, OH 43512	0.000230 acres 1/1001 of 0.23 acres	0.00029%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(108) Buddy Baldrige Woodland Park, Apt. #408 10401 North 33rd Avenue Phoenix, AZ 85051	0.000230 acres 1/1001 of 0.23 acres	0.00029%
(109) Ora M. Baldrige HC-64, Box 75B Honaker, VA 24260	0.001608 acres 1/143 of 0.23 acres	0.00201%
(110) Effie Looney Box 115 Rosedale, VA 24280	0.001608 acres 1/143 of 0.23 acres	0.00201%
(111) Nell K. Branham P.O. Box 1756 Richlands, VA 24641	0.001608 acres 1/143 of 0.23 acres	0.00201%
(112) Roy B. McGlothlin 372 Pleasant Hill Blountville, TN	0.001608 acres 1/143 of 0.23 acres	0.00201%
(113) Jessie McGlothlin Rt. 6, Box 445 Bristol, TN	0.001608 acres 1/143 of 0.23 acres	0.00201%
(114) Ed Harold McGlothlin 201 Aldrich Rd. Vermillion, OH 44089	0.001608 acres 1/143 of 0.23 acres	0.00201%
(115) Dale R. McGlothlin Rt. 4 Box 208A Grundy, VA 24614	0.001608 acres 1/143 of 0.23 acres	0.00201%
(116) Etta Ruth M. & Charles Justice P.O. Box 248 Big Rock, VA 24603	0.001608 acres 1/143 of 0.23 acres	0.00201%
(117) Juanita McGlothlin Rt. 4 Box 208A Grundy, VA 24614	0.001608 acres 1/143 of 0.23 acres	0.00201%
(118) Franklin McGlothlin Rt. 4 Box 208A Grundy, VA 24614	0.001608 acres 1/143 of 0.23 acres	0.00201%
(119) Rosa M. Norman P.O. Box 476 Vansant, VA 24656	0.005897 acres 1/39 of 0.23 acres	0.00737%
(120) Pearl M. Matney, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001311 acres 2/351 of 0.23 acres	0.00164%
(121) Sally C. Hatfield, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001311 acres 2/351 of 0.23 acres	0.00164%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(122) Roy McGlothlin Heirs, Devisees, Successors or Assigns		
(a) Elsie McGlothlin 739 Crestwood Dr. Richlands, VA 24641	0.000437 acres 2/1053 of 0.23 acres	0.00055%
(b) James B. McGlothlin 739 Crestwood Dr. Richlands, VA 24641	0.000291 acres 4/3159 of 0.23 acres	0.00036%
(c) Sue Bowlin 2466 Brights Pike Morristown, TN 37814	0.000291 acres 4/3159 of 0.23 acres	0.00036%
(d) Ronnie McGlothlin Kents Ridge Cedar Bluff, VA	0.000291 acres 4/3159 of 0.23 acres	0.00036%
(123) John McGlothlin, Jr., Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001311 acres 2/351 of 0.23 acres	0.00164%
(124) Kermit McGlothlin Rt. 2 Box 656 Vansant, VA 24656	0.001311 acres 2/351 of 0.23 acres	0.00164%
(125) Leonard McGlothlin, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001311 acres 2/351 of 0.23 acres	0.00164%
(126) Samie G. McGlothlin, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001311 acres 2/351 of 0.23 acres	0.00164%
(127) Victory McGlothlin, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.001311 acres 2/351 of 0.23 acres	0.00164%
(128) Buford Lee McGlothlin P.O. Box 69 Oakwood, VA 24631	0.001311 acres 2/351 of 0.23 acres	0.00164%
(129) Ethel Shortridge 4401 Roosevelt Blvd. Dearborn Hts., MI 48125	0.001361 acres 1/169 of 0.23 acres	0.00170%
(130) Bea Johnson 3420 East Bonner Dr. Norfolk, VA 23501	0.001361 acres 1/169 of 0.23 acres	0.00170%
(131) June Arms Rt. 1, Box 177 Vansant, VA 24656	0.001361 acres 1/169 of 0.23 acres	0.00170%

**Exhibit E**  
**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(132) Edd Shortridge HCR, Box 9B Vansant, VA 24656	0.001361 acres 1/169 of 0.23 acres	0.00170%
(133) Hassell Shortridge 1226 Stringer Rd. Belton, SC 29627	0.001361 acres 1/169 of 0.23 acres	0.00170%
(134) Lola Skeens 902 Hammonds Lane Baltimore, MD 21225	0.001361 acres 1/169 of 0.23 acres	0.00170%
(135) Carl Shortridge Rt. 2 Box 14A Grundy, VA 24614	0.001361 acres 1/169 of 0.23 acres	0.00170%
(136) Faye Delroseers 1809 Skyline Dr. Norfolk, VA 23500	0.001361 acres 1/169 of 0.23 acres	0.00170%
(137) Paul Shortridge 1520 McWhorter Rd. London, KY 40741	0.001361 acres 1/169 of 0.23 acres	0.00170%
(138) Marlene Rife P.O. Box 255 Pilgrim Knob, VA 24634	0.001361 acres 1/169 of 0.23 acres	0.00170%
(139) Johnny M. Shortridge Jr. HRC Vansant, VA 24656	0.001361 acres 1/169 of 0.23 acres	0.00170%
(140) Freddie Shortridge HRC Vansant, VA 24656	0.001361 acres 1/169 of 0.23 acres	0.00170%
(141) Irene Stacy 1336 Kenworth Drive Conway, SC 29526	0.001361 acres 1/169 of 0.23 acres	0.00170%
(142) Bennie McGlothlin Rt. 1, Box 182 Hiltons, VA 24258	0.001072 acres 2/429 of 0.23 acres	0.00134%
(143) Bonnie McGlothlin Rt. 1, Box 182 Hiltons, VA 24258	0.001072 acres 2/429 of 0.23 acres	0.00134%
(144) Ralph Edward McGlothlin 94 Collins Crest Cedar Bluff, VA 24609	0.001072 acres 2/429 of 0.23 acres	0.00134%
(145) Patricia S. McGlothlin 6293 Wilderness Road Dublin, VA 24084	0.001608 acres 1/143 of 0.23 acres	0.00201%

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**Docket #VGOB-94-10/24-0476-01**  
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	Acres in Unit	Percent of Unit
(146) Ruby B. McGlothlin 207 West Fincastle Drive Tazewell, VA 24651	0.001608 acres 1/143 of 0.23 acres	0.00201%
(147) Helen E. Counts 1334 Augusta Street Bluefield, WV 24701	0.003217 acres 2/143 of 0.23 acres	0.00402%
(148) Frankie Mae Street Heirs, Devisees, Successors or Assigns		
(a) Gaynell S. Fowler Rt. 2, Box 263 Moorehaven, FL 33471	0.000402 acres 1/572 of 0.23 acres	0.00050%
(b) James H. Street P. O. Box 2100 Grundy, VA 24614	0.000201 acres 1/1144 of 0.23 acres	0.00025%
(c) Marcus A. Street <i>Address Unknown</i>	0.000201 acres 1/1144 of 0.23 acres	0.00025%
(d) Robert D. Street <i>Address Unknown</i>	0.000134 acres 1/1716 of 0.23 acres	0.00017%
(e) David A. Street <i>Address Unknown</i>	0.000134 acres 1/1716 of 0.23 acres	0.00017%
(f) Lauren F. Street <i>Address Unknown</i>	0.000134 acres 1/1716 of 0.23 acres	0.00017%
(g) Russell K. Street 110 Buford Avenue Anderson, SC 29621	0.000402 acres 1/572 of 0.23 acres	0.00050%
(h) Susan S. Hoffman 4215 Langley Avenue St. Bernard, OH 45217	0.000101 acres 1/2288 of 0.23 acres	0.00013%
(i) Colleen S. Mellors 17 Commercial Road Devizes, Willshire SNID-1UK	0.000101 acres 1/2288 of 0.23 acres	0.00013%
(j) Stephen Street RD 1, Sunset Lake Road Richmond, OH 43944	0.000101 acres 1/2288 of 0.23 acres	0.00013%
(k) Lisa Street RD 1, Sunset Lake Road Richmond, OH 43944	0.000101 acres 1/2288 of 0.23 acres	0.00013%
(l) Nelgie Lane Street P. O. Bos 1460 Grundy, VA 24614	0.000402 acres 1/572 of 0.23 acres	0.00050%

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	Acres in Unit	Percent of Unit
(m) Barry Dale Norris P. O. Box 3328 CRS Johnson City, TN 37615	0.000080 acres 1/2860 of 0.23 acres	0.00010%
(n) Michael Norris 590 County Home Road Blountville, TN 37617	0.000080 acres 1/2860 of 0.23 acres	0.00010%
(o) Ann Norris Reid 2924 SE Alder Street Portland, OR 97214	0.000080 acres 1/2860 of 0.23 acres	0.00010%
(p) Frank Arthur Norris 2005 Sandlewood Drive Dunwoody, GA 20350	0.000080 acres 1/2860 of 0.23 acres	0.00010%
(q) Dwight Douglas Norris Rt. 3, Brumley Circle Lebanon, VA 24266	0.000080 acres 1/2860 of 0.23 acres	0.00010%
(r) Benjamin A. Street Rt. 2, Box 125 Vansant, VA 24656	0.000134 acres 1/1716 of 0.23 acres	0.00017%
(s) Daniel S. Street Rt. 2, Box 125 Vansant, VA 24656	0.000134 acres 1/1716 of 0.23 acres	0.00017%
(t) Jill Nicole Street Rt. 2, Box 125 Vansant, VA 24656	0.000134 acres 1/1716 of 0.23 acres	0.00017%
(149) Joseph Blair McGlothlin P. O. Box 71 Cedar Bluff, VA 24609	0.001608 acres 1/143 of 0.23 acres	0.00201%
(150) Katherine M. & John Warren 2208 Wingfield Road Charlottesville, VA 22901	0.001608 acres 1/143 of 0.23 acres	0.00201%
(151) Nannie P. Lockhart Rt. 1 Box 79 Pounding Mill, VA 24637	0.003217 acres 2/143 of 0.23 acres	0.00402%
(152) Mary & D.A. McGlothlin, Sr. P.O. Box 904 Grundy, VA 24614	0.001072 acres 2/429 of 0.23 acres	0.00134%
(153) Billy Sue Dixon Rt. 1, 200 Heather Rd. Bristol, VA 24201	0.001072 acres 2/429 of 0.23 acres	0.00134%
(154) Peggy & Henry Durham 2232 Island Road Blountville, TN 37617	0.001072 acres 2/429 of 0.23 acres	0.00134%

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**Docket #VGOB-94-10/24-0476-01**  
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	Acres in Unit	Percent of Unit
(155) Rose Myrtle Wampler P. O. Box 70 Oakwood, VA 24631	0.003217 acres 2/143 of 0.23 acres	0.00402%
(156) Woodrow & Sally McGlothlin Box 266 Oakwood, VA 24631	0.003217 acres 2/143 of 0.23 acres	0.00402%
(157) Doris Ann McGlothlin P. O. Box 428 Raven, VA 24639	0.000919 acres 4/1001 of 0.23 acres	0.00115%
(158) Cecil & Francis Ann Borkey 503 Ridgley Lane Richmond, VA 23229	0.000460 acres 2/1001 of 0.23 acres	0.00057%
(159) Betty & James Lloyd McGlothlin Rt. 3, Box 67 Cedar Bluff, VA 24609	0.000460 acres 2/1001 of 0.23 acres	0.00057%
(160) Una Lee Mulligan Bailey P. O. Box 51 Richlands, VA 24641	0.000460 acres 2/1001 of 0.23 acres	0.00057%
(161) Cecil Earl McGlothlin 314 Toria Drive Statesville, NC 28677	0.000460 acres 2/1001 of 0.23 acres	0.00057%
(162) Norman McGlothlin 6107 63rd Place Riverdale, MD 20737	0.000460 acres 2/1001 of 0.23 acres	0.00057%
(163) Dorothy Mullins Heirs, Devisees, Successors or Assigns		
(a) Ann Mullins Washburn 3343 Notingham Drive Tallahassee, FL 32312	0.000536 acres 2/858 of 0.23 acres	0.00067%
(b) Mike Mullins 1445 Westerty Terrace Los Angeles, CA 90026	0.000536 acres 2/858 of 0.23 acres	0.00067%
(164) Charles Robert Dixon 106 West Park Drive Kingsport, TN 37662	0.001072 acres 2/429 of 0.23 acres	0.00134%
(165) Gladys Jessee 413 North Street Richlands, VA 24641	0.001072 acres 2/429 of 0.23 acres	0.00134%

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**UNIT T-16**  
**BEATRICE MINE AREA**  
**Docket #VGOB-94-10/24-0476-01**  
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	Acres in Unit	Percent of Unit
<b><u>Tract #8, 0.02 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Big Axe Land Company, Tr.44 c/o Landon R. Wyatt, Jr. Wyatt Buick Sales Danville, VA 24541	0.02 acres	0.02500%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) W. H. Reedy Heirs, Devisees, Successors or Assigns et al.	0.02 acres	0.02500%
(a) Exie W. Cox #5 Kelly Avenue Bel Air, MD 21014	0.386 acres 1/90 of 0.02 acres	0.48236%
(b) Mary W. Layman 2352 Telegraph Road Rising Sun, MD 21911	0.386 acres 1/90 of 0.02 acres	0.48236%
(d) Ada W. Hamilton 5408 Thurton Lane Port Orange, FL 32127	0.386 acres 1/90 of 0.02 acres	0.48236%
(e) R. June W. Yale 423 Lombard Road Rising Sun, MD 21911	0.386 acres 1/90 of 0.02 acres	0.48236%
(g) Curtis Meaders 313 King Street Elkton, MD 21921	0.386 acres 1/90 of 0.02 acres	0.48236%
(h) Howard L. Webb 8012 East Monte Mesa, AZ 85208	0.096 acres 1/360 of 0.02 acres	0.12059%
(i) Lucille W. Perkins 483 Sylmar Road Rising Sun, MD 21911	0.096 acres 1/360 of 0.02 acres	0.12059%
(j) Kirk L. Webb Rt. 3, Box 804 Spring City, TN 37381	0.096 acres 1/360 of 0.02 acres	0.12059%
(k) Mary W. Jacobsen 937 Plantation Road Key Largo, FL 32127	0.096 acres 1/360 of 0.02 acres	0.12059%
(l) Clarence Elkins Rt. 1, Box 501 Swords Creek, VA 24646	3.473 acres 1/10 of 0.02 acres	4.34125%
(m) Eugene Reedy 885 Old Field Point Road Elkton, MD 21921	0.579 acres 1/60 of 0.02 acres	0.72354%
(n) Arvil Reedy	0.579 acres	0.72354%

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**BEATRICE MINE AREA**  
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	Acres in Unit	Percent of Unit
20 Pisqahview Avenue Ashville, NC 28803	1/60 of 0.02 acres	
(o) Leona R. Rose P. O. Box 106 Squire, WV 24884	0.579 acres 1/60 of 0.02 acres	0.72354%
(p) Ovella R. Griggs 55 Brook Lane Elkton, MD 21921	0.579 acres 1/60 of 0.02 acres	0.72354%
(q) Viola R. Holman 91 Bard Cameron Road Rising Sun, MD 21911	0.579 acres 1/60 of 0.02 acres	0.72354%
(r) Nona Bell R. Schuler 1603 Chrome Road Oxford, PA 19363	0.579 acres 1/60 of 0.02 acres	0.72354%
(s) Clyde Webb 92 Hill Top Road Elkton, MD 21921	0.434 acres 1/80 of 0.02 acres	0.54266%
(t) Homer Webb 513 Harrington Road Rising Sun, MD 21911	0.434 acres 1/80 of 0.02 acres	0.54266%
(u) Victor C. Webb 16 Nellies Corner Road Rising Sun, MD 21911	0.434 acres 1/80 of 0.02 acres	0.54266%
(v) Edith W. Morgan 11 Frederick Way Oxford, PA 19363	0.434 acres 1/80 of 0.02 acres	0.54266%
(w) Hubert W. Webb 6151 Harrisville Road Colora, MD 21917	0.434 acres 1/80 of 0.02 acres	0.54266%
(x) J. Dennis Webb 8 Cherry Lane Elkton, MD 21921	0.434 acres 1/80 of 0.02 acres	0.54266%
(y) Zeola W. Shupe 24 North Pardue Avenue New Castle, DE 19720	0.434 acres 1/80 of 0.02 acres	0.54266%
(z) Thelma W. Howell 193 Ridge Road Nottingham, PA 19362	0.434 acres 1/80 of 0.02 acres	0.54266%
(aa) Sandi T. Howell P. O. Box 2404 Elkton, MD 21922	6.946 acres 2/10 of 0.02 acres	8.68250%

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	Acres in Unit	Percent of Unit
(dd) Sadie R. Cox 704 Elkton Blvd. Elkton, MD 21921	3.473 acres 1/10 of 0.02 acres	4.34125%
(ee) Ada B. Reedy P. O. Box 70 Van, WV 25206	3.473 acres 1/10 of 0.02 acres	4.34125%
(ff) Earl H. Hurford Rd. 9, Box 266H Coatesville, PA 19320	0.868 acres 1/40 of 0.02 acres	1.08531%
(gg) Donald Hurford P. O. Box 315 Boyertown, PA 19512	0.868 acres 1/40 of 0.02 acres	1.08531%
(hh) Lester D. Hurford Rd. 9, Box 266H Coatesville, PA 19320	0.868 acres 1/40 of 0.02 acres	1.08531%
(ii) Lester Miller Rd. 1, Box 191-A Cochranville, PA 19330	0.868 acres 1/40 of 0.02 acres	1.08531%

**VIRGINIA:** In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 14th day of October, 2005 at 8:05 P.M.  
 The tax imposed by §587.1-802 of the Code has been paid in the amount of \$                    .  
 Deed Book No.                      and Page No.                     .  
 Returned to:       Dmme      

TESTE:                      James M. Bevins, Jr., Clerk  
                     Deputy Clerk

62  
#53

ENTERED

INSTRUMENT #050003114  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY OH  
OCTOBER 14, 2005 AT 02:05PM  
JAMES M. BEVINS, CLERK  
RECORDED BY: AKT