PRESTON COUNTY - PRITTS

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April 3, 2017

Coastal Forest Resources Company
Attn: Ed Kraynok
P.O. Box 709
Buckhannon, WV 26201

Dear Mr. Kraynok:

At your request, we have conducted a title update in the Office of the Clerk of the County Commission of Preston County, West Virginia, with reference to the title to the surface of tracts of land hereinafter described that are owned by Coastal Forest Resources Company. Our update was from November 28, 1978, the date of a title examination conducted by Everhart, Everhart, & Brown, which is the subject of the attached letter from Everhart, Everhart & Brown, dated November 29, 1978.

Description

The real estate which is the subject of this Report on Title consists of the following, situate in Union District, Preston County, West Virginia:

"TRACT NO. 1: That certain strip of land conveyed to Rowlesburg and Southern Railroad Company, a corporation, by Samuel J. Stemple and Mary A.V. Stemple, his wife, by deed dated June 1, 1911, and which deed is now of record in the aforesaid Clerk's Office in Deed Book 130, at Page 464."

"There is excepted and reserved from this tract that certain tract or parcel of land that was conveyed by Thaddeus Pritt, Trustee, to Dayton Bolyard by deed dated February 9, 1951, and which said deed is now of record in the aforesaid Clerk's Office in Deed Book 285, at Page 388."

"TRACT NO. 2: That certain tract or parcel of land that was conveyed by Dora Idella Durr, now Bolyard, and T.R. Durr, her husband, to Rowlesburg and Southern Railway Company by deed dated June 2, 1911, and which said deed is now of record in the aforesaid Clerk's Office in Deed Book 130, at Page 463."

"TRACT NO. 3: That certain tract or parcel of land described in an Agreement between the Rowlesburg and Southern Railroad Company and H.W. Rightmyer, Jr. and L.E. Rightmyer by deed dated June 20, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 130, at Page 467."

"TRACT NO. 4: That certain tract or parcel of land conveyed to the Rowlesburg and Southern Railroad Company by F. Emma Bishop, widow, J. moss Manown, single, and Charles H. Manown, single, by deed dated June 7, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 130, at Page 440."

"TRACT NO. 5: That certain tract or parcel of land conveyed to the Rowlesburg and Southern Railroad Company by M. Eugenia Brown and John H. Brown, her husband, by deed dated June 17, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 130, at Page 493."

"TRACT NO. 6: That certain tract or parcel of land conveyed to the Rowlesburg and Southern Railroad Company by Gertrude B. Felker and G.G. Felker, her husband, by deed dated June 6, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 130, at Page 496."

"TRACT NO. 7: That certain tract or parcel of land condemned upon proceedings to take land for public use in the Circuit Court of Preston County, West Virginia by Order dated June 21, 1911, in which the Rowlesburg and Southern Railroad Company was Plaintiff and H.W. Rightmyer's devisees were Defendants, and which said Condemnation Order is now of record in said Clerk's Office in Deed Book 131, at Page 43."

"TRACT NO. 8: That certain tract or parcel of land conveyed by J.W. Loughrie and Elesa Loughrie, his wife, to Rowlesburg and Southern Railroad Company by deed dated June 30, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 131, at Page 207."

"TRACT NO. 9: That certain tract or parcel of land conveyed by Peter Beaver, Executor of the Will of Cynthia A. Beaver, deceased, to the Rowlesburg and Southern Railroad Company by deed dated August 23, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 131, at Page 209."

"TRACT NO. 10: That certain tract or parcel of land conveyed by the Board of Education of Union District, Preston County, West Virginia to the Rowlesburg and Southern Railroad Company by deed dated August 22, 1911, and which said deed is now of record in said Clerk's Office in Deed Book 131, at Page 211."

"TRACT NO. 11: That certain tract or parcel of land that was conveyed by J.S. Lakin, Trustee, J.S. Lakin and Lou O. Lakin, his wife, Parley DeBerry and Anna E. DeBerry, his wife, Mollie C. Crane, widow, and Executrix of the estate of O.C. Crane, deceased, A.D. Bowman and R.F. Bowman, his wife, William G. Brown and Flo M. Brown, his wife, and A. Bliss McCrum, single, to the Rowlesburg and Southern Railroad Company by deed dated October 14, 1911, and which said deed is now of record in the aforesaid Clerk's Office in Deed Book 132, at Page 145."

"TRACT NO. 12: That certain tract or parcel of land conveyed by the Glade Lumber Company to Rowlesburg and Southern Railroad Company by deed dated April 24, 1920, and which said deed is now of record in said Clerk's Office in Deed Book 153, at Page 534."

"There is excepted and reserved from this conveyance 1.18 acres conveyed by Rowlesburg and Southern Railroad Company and Thaddeus Pritt, Trustee, to A.L. Hosey, by deed dated January 26, 1951, and which said deed is now of record in the aforesaid Clerk's Office in Deed Book 284, at Page 468."

"TRACT NO. 13: That certain tract or parcel of land conveyed to the Rowlesburg and Southern Railroad Company by Keystone Manufacturing Company by deed dated May 26, 1923, and which said deed is now of record in said Clerk's Office in Deed Book 162, at Page 442."

And being the same real estate conveyed to Coastal Lumber Company, a North Carolina corporation, by Frazee Lumber Company, a Pennsylvania corporation, by deed dated May 8, 1987, and recorded in the aforesaid Clerk's Office in Deed Book 534, at Page 720.

Ownership:

So far as said records disclose, and providing the indices and descriptions thereto are correct, and assuming the genuineness of the instruments, including signatures and notarial certificates, we hereby opine that title to the surface of subject real estate is vested in Coastal Forest Resources Company, by virtue of a confirmatory deed from Coastal Forest Resources Company, successor of Coastal Lumber Company, a Virginia corporation, dated April 8, 2016, of record in said Clerk's Office in Deed Book 786, at Page 948.

Said ownership is subject to the following:

1. The correctness of the records in the Office of the Clerk of the County Commission of Preston County, and the Sheriff of Preston County, West Virginia, and of the indices of said records.

2. Any state of facts which might be disclosed by an accurate survey of the subject real estate.

3. Matters shown by an inspection or actual view of said property, including but not limited to rights of persons in possession or rights acquired by adverse possession, and easements acquired through use.

4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

5. Any errors, inaccuracies or omissions in the indices and records contained in the aforesaid Clerk's Office or to matter not permanently indexed therein.

6. Any violations of zoning and other governmental regulations or any special taxes and assessments not shown of record in the aforesaid Clerk's Office.

7. The rights or claims of any persons in possession and holding adversely any part of the subject real estate or ways of necessity belonging to others and not shown of record in the aforesaid Clerk's Office.

8. Any violation of any city, county, state or federal environmental regulations or laws.

9. Real estate taxes for tax year 2017 and subsequent years. Taxes have been paid through tax year 2016.

The property is assessed on the Land Books of Preston County, in Union District, for tax year 2016, as follows:

"Ticket No. 12885; Coastal Lumber Co.; (13 TRS) Erwin Sur 26.24 Rts of Way; Value of Land - $1,200." Taxes are $10.20 per half year.

10. Minerals: This preliminary report on title is limited to the surface only in and to the subject property. We did not examine any records with regard to the minerals or mineral estates. This preliminary report on title does not purport to express any opinion as to either the present status or ownership of the minerals or minerals estate. The use of the subject property may be subject to the rights of owner(s) of the underlying minerals and mineral substances to use, develop and enjoy the same.

11. Judgments, tax liens or other adverse claims: None.

12. Trust Deeds: None

BUSCH, ZURBUCH & THOMPSON, PLLC

By Jennifer L. Morgan
Jennifer L. Morgan

JLM/jmp

WP4

EVERHART, EVERHART & BROWN
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KINGWOOD, WEST VIRGINIA
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L. F. EVERHART (1876-1962)
FRANK B. EVERHART
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P. O. BOX 516
(304) 329-0421

November 29, 1978

Mr. John E. Busch
Brown, Harner & Busch, L.C.
P.O. Box 1333
Elkins, West Virginia 26241

Re: Coastal Lumber Co.
Tract No. WP-4 - Pritts
26.24 acres, Preston County

Dear Mr. Busch:

We, Everhart, Everhart & Brown, practicing attorneys of Kingwood, West Virginia, do hereby certify that we have examined the records in the office of the Clerk of the County Commission of Preston County, West Virginia, insofar as the same are correctly indexed in the official indices of said office from the date of the acquisition of the following tracts by Rowlesburg & Southern Railroad Company until November 28, 1978, at 2:34 p.m., which said tracts were conveyed to the Frazee Lumber Company by A. H. Hunter, Trustee, by deed dated January 20, 1967, and now of record in said Clerk's office in Deed Book 389, at page 478, which said tracts are enumerated as follows:

Tract No. 1	From June 1, 1911
Tract No. 2	From June 2, 1911
Tract No. 3	From June 20, 1911
Tract No. 4	From June 7, 1911
Tract No. 5	From June 17, 1911
Tract No. 6	From June 6, 1911
Tract No. 7	From June 21, 1911
Tract No. 8	From June 30, 1911
Tract No. 9	From August 23, 1911
Tract No. 10	From August 22, 1911
Tract No. 11	From October 14, 1911
Tract No. 12	From September 3, 1910
Tract No. 13	From January 1, 1912

We do further certify, subject to any errors or omissions in the indices of said County, and further subject to such set of

facts that would be disclosed by an accurate survey of said premises, that Frazee Lumber Company is vested with a good and marketable title to the subject real estate, subject to and excepting the following:

1. The subject real estate was not carried on the assessment record until the year 1951 due to the fact that the predecessors in title to the Frazee Lumber Company, the Rowlesburg & Southern Railroad Company, was a public utility and the land was apparently taxed by the State Tax Commissioner of the State of West Virginia and not placed on the assessment record until Thaddeus Pritt, Trustee, advised the Assessor of Preston County by letter dated March 2, 1951, that said Railroad had surrendered its certificate of convenience and necessity to the State of West Virginia and had ceased to do business and thereupon requested the Assessor of Preston County to place the said real estate on the assessment record as surface 26.24 rights of way

An examination of the conveyances to the Rowlesburg & Southern Railroad Company discloses that the conveyance was in fee and no reservations of minerals were made except Tract No. 5 reserves all minerals including oil and gas, etc. It is therefore obvious that the title to any minerals underlying the subject real estate have been forfeited to the State of West Virginia for non-assessment and that it would require a proceeding by the State of West Virginia to sell said minerals in a delinquent land suit. It is doubtful that the present owner of said real estate would have a right of redemption of the minerals.

2. Tract No. 1 described in the subject deed to Frazee Lumber Company apparently has been conveyed away, or a greater portion of said tract, in a deed from Rowlesburg & Southern Railroad Company and Thaddeus Pritt, Trustee, to Dayton Bolyard, dated February 9, 1951, which said deed is recorded in said Clerk's office in Deed Book 285, at page 388, and which said deed conveys a tract 60 feet wide and about 967.33 feet long, containing 1.33 acres, and which said deed refers to the Samuel J. Stemple deed to the Rowlesburg & Southern Railroad Company, a corporation, dated June 1, 1911, and recorded in said Clerk's office in Deed Book 130, at page 464, as being all of the Samuel J. Stemple property previously conveyed to the Rowlesburg & Southern Railroad Company. The Map and Profile of the Rowlesburg &

Southern Railroad sent to you under separate cover discloses that the Samuel J.Stemple property is 1000 lineal feet; therefore, the adverse conveyance to Dayton Bolyard lacks only 32.67 feet frontage of conveying the entire Stemple property.

3. Tract Nos. 4, 5 and 6 convey the same parcel of land. The deeds referred to in these tracts are deeds by owners of undivided interests in this tract.

4. Tract No. 7 in the Frazee Lumber Company deed was an award by the Circuit Court of Preston County, West Virginia, in a condemnation proceeding brought by the Rowlesburg & Southern Railroad Company against H. W. Rightmyer's Devisees which awarded 8.1 acres to said Railroad Company, a copy of said condemnation proceeding being attached to this title opinion, which condemnation award is recorded in said Clerk's office in Deed Book 131, atpage 43. The Court papers could not be found in the Circuit Clerk's office and the only description is on the Map and Profile sent under separate cover which should be read and considered as a part of this title opinion report which said Map and Profile shows the Rightmyer property. An adverse conveyance was made by the Rowlesburg & Southern Railroad Company and Thaddeus Pritt, Trustee, to Lena Rose Jackson by deed dated February 27, 1951, and recorded in said Clerk's office in Deed Book 285, at page 276, which conveys a strip of land 60 feet wide with no description. The said deed refers to the conveyance of said strip of land as being a part of what was acquired in the condemnation proceeding, a copy of said condemnation order being recorded as herein stated in Deed Book 131, at page 43.

5. Tract No. 8 contained a provision in said deed which bound the Grantee, being the Rowlesburg & Southern Railroad Company, to build a siding near the dwelling house of the Grantors and another siding near the mouth of the Stemple Run when the same shall be demanded by J. W. Loughrie.

6. Tract No. 10 was a conveyance by the Board of Education of Union District, Preston County,West Virginia, to the Rowlesburg & Southern Railroad Company with no description and was described in said deed as lot containing one-half (½) acre, known as Lot No. 10 School House, being located near the Northwestern Turnpike and between

Madison Run and Wolfe Creek. The said deed referred to a condemnation proceeding instituted by the Board of Education in the Circuit Court of Preston County sometime in the year 1875. A search of the records of the Circuit Clerk of Preston County,West Virginia, did not produce said Court record or Court papers.

7. Tract No. 12 was conveyed by the Glade Lumber Company to the Rowlesburg & Southern Railroad Company without description. The Rowlesburg & Southern Railroad Company, a corporation, and Thaddeus Pritt, Trustee, conveyed to L. A. Hosey, by deed dated January 26, 1951, and which said deed is now of record in said Clerk's office in Deed Book 284, at page 468, 1.18 acres, being a strip of land 60 feet by 860 feet which said deed recites that it is a part of the Glade Lumber Company conveyance as recorded in Deed Book 153, at page 534, and which said deed estimated the said original conveyance to contain 2.08 acres which apparently leaves only .90 acre of Tract No. 12 conveyed to the Frazee Lumber Company.

It is apparent that the acreage covered by the deed for the various tracts to the Frazee Lumber Company as herein referred to is not contiguous since the Rowlesburg & Southern Railroad Company and Thaddeus Pritt, Trustee, through the years have made numerous conveyances of the strips of land that made up this right of way along Cheat River to various and sundry third parties and that the Frazee Lumber Company deed is only remnants left of the unsold strips of land previously owned by the Rowlesburg & Southern Railroad Company over which a railroad was constructed and used.

It is noted that on page 5 of the subject deed to the Frazee Lumber Company that the Grantors in the deed convey any and all rights of way and parcels of land not specifically enumerated as tract numbers in said deed. It is apparent to the undersigned that there may be other parcels of land that will be located as a result of an inspection of the premises on the ground with the use of the deeds enclosed in this report that have a description by survey and a use of the Map and Profile sent under separate cover made by the engineers for the Rowlesburg & Southern Railroad in the year 1911.

All taxes up to and including the first half 1978 have been paid. The real estate taxes upon the subject real estate are $24.31 per half.

The subject real estate is assessed in Union District for the year 1978 as follows:

" Frazee Lumber Co. Sur 26.24 Rts of Way (13 Trs) Erwin "

As we have heretofore referred, we are sending you under separate cover the Map and Profile of the Rowlesburg & Southern Railroad Company which supposedly sets forth the strips of land the Company acquired for the construction and operation of their railroad. We are also enclosing pictures of the deeds describing the rights of way by survey that we found of record.

This opinion, however, does not cover any defects which might be apparent from an accurate survey or a personal inspection of the premises.

Very truly yours,

EVERHART, EVERHART & BROWN

BY: Frank B. Everhart

Frank B. Everhart

FBE/em