

[Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: David M. Moore, Attorney

Issuing Office: David M. Moore, Attorney

Issuing Office's ALTA® Registry ID: 974714159

Commitment Number: 25-

Issuing Office File Number: 25-

Property Address:

SCHEDULE A

COMMITMENT

1. Commitment Date: September 2, 2025
2. Policy to be issued:
 - a. 2021 ALTA® Owners Policy

Proposed Insured:

Proposed Amount of Insurance: \$ TBD

The estate or interest to be insured:

The estate or interest to be insured:
3. The estate or interest in the Land at the Commitment Date is: *(Identify each estate or interest covered, i.e., fee, leasehold, etc.) Fee*
4. The Title is, at the Commitment Date, vested in: Wilcox Industries, Inc.
5. The Land is described as follows:

See attached description

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ORT Form 4757 A

Schedule A – ALTA Commitment for Title Insurance 2021 v. 01.00

07/01/2021

SCHEDULE B I COMMITMENT

REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Payment of taxes, charges, and assessments levied and assessed against subject premises, which are due and payable.
 - a. Real Estate Taxes for 2024 are paid in full.
5. Owners/Sellers Affidavit covering matters of title in a form acceptable to the Company.
6. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Deed from
To: TBD

WILCOX INDUSTRIES, Inc. (Raleigh County)

1. **In Trust Deed Book 5041 at Page 2869**, there is of record an unreleased Credit Line Deed of Trust given by Wilcox Industries, Inc. to Charles M. Johnson, Jr., Trustee, dated August 2, 2010 securing Carter Bank & Trust in the amount of \$8,500,000.00. As this Deed of Trust is unreleased, it constitutes a lien against the property under examination.
2. There is of record in **UCC Book 5041 at Page 2787, UCC Book 5041 at Page 2788, UCC Book 5041 at Page 2870, UCC Book 5041 at Page 2872**, unreleased UCC Financing Statements between Wilcox Industries, Inc., debtor and Carter Bank & Trust, secured party, recorded as instrument #s 50412787, 50412788, 50412870, 50412872, refiled in **UCC Book 5059 at Page 5805, UCC Book 5059 at Page 5807, UCC Book 5059 at Page 5809, UCC Book 559 at Page 5811**, instrument #s 50595805, 50595807, 50595809, 50595811, and **UCC Book 5072 at Page 3837, UCC Book 5072 at Page 3840, UCC Book 5072 at Page 3841, UCC Book 5072 at Page 3843**, instrument #s 50723837, 50723840, 50723841, 50723843.
3. **In Trust Deed Book 5074 at Page 7089**, there is of record an unreleased First Modification to Deed of Trust given by Wilcox Industries, Inc., to Charles M. Johnson, Trustee, dated June 30, 2020 securing Carter Bank & Trust in the amount of \$40,000,000.00. As this Deed of Trust is unreleased, it constitutes a lien against the property under examination.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ORT Form 4757 B I

Schedule B I – ALTA Commitment 2021 v. 01.00

07/01/2021

SCHEDULE B II COMMITMENT

EXCEPTIONS FROM COVERAGE

Policy Number: 25-

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any encroachment, encumbrance, violation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortages in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
2. Any lien or right to a lien, for services, labor or material therefore or hereafter furnished, imposed by law and not shown in the public records.
3. Rights of parties in actual possession of all or any part of the premises, including, but not limited to, easements, claims of easements or encumbrances that are not shown in the public records.
4. The lien of real estate taxes or assessments imposed on the title by a governmental authority that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the public records.
 - a. 2025 Taxes constitute a lien,
5. Oil, gas, coal and other mineral interests together with the rights appurtenant thereto whether created by deed, lease, grant, reservation, severance, sufferance or exception.

WILCOX INDUSTRIES, Inc. (Raleigh County)

6. In Deed Book 5059 at Page 6350, there is of record an easement to Raleigh County Public Service District.
7. In Deed Book 5063 at 2280, there is of record an easement to APCO.
8. In Deed Book 5084 at Page 1107, there is of record an easement to APCO.
9. In Microfilm Role 63 at Page 2447, there is of record an easement to APCO.
10. In Microfilm Role 69 at Page 1789, there is of record an easement to C&P Telephone,
11. In Microfilm Role 91 at Page 1436, there is of record an easement to APCO.
12. In Microfilm Role 91 at Page 1438, there is of record an easement to APCO.
13. In Deed Book 5006 at Page 6229, there is of record a Boundary Line Agreement that affects the property under examination.
14. In Deed Book 5015 at Page 3229, there is of record an easement to Verizon.

15. In Deed Book 5015 at Page 3233, there is of record an easement to Verizon.
16. In Deed Book 396 at Page 450, there is of record an easement to APCO.
17. In Deed Book 432 at Page 208, there is of record an easement to APCO.
18. In Deed Book 432 at Page 368, there is of record an easement to C&P Telephone.
19. In Deed Book 444 at Page 269, there is of record an easement to APCO.
20. In Deed Book 471 at Page 09, there is of record an easement to APCO.
21. In Deed Book 479 at Page 253, there is of record an easement to Beckley Water Company.
22. In Deed Book 536 at Page 653, there is of record an easement to APCO
23. In Deed Book 652 at Page 255, there is of record an easement to C&P Telephone.
24. In Deed Book 705 at Page 87, there is of record an easement to C&P Telephone.
25. In Deed Book 705 at Page 88, there is of record an easement to C&P Telephone.
26. In Deed Book 392 at Page 274, an undivided one-half (1/2) interest in the mineral rights was conveyed unto Terrill G. Todd.
27. Real property taxes have been assessed and paid on the property under examination through the year 2023. **Taxes for the year 2024 have been sold and are therefore delinquent and must be redeemed.** Taxes for the year 2025 are assessed in the name of Wilcox Industries, Inc., Tax Ticket #s 2337-2347, Account #s 06351191, 06351244, 06351226, 08613640, 06351208, 06351182, 06351217, 06351235, 06351253, 06351262, 06351271, and 06351280, Tax Map #s 8, 20, 21, 21, 22, 22, 9999, 9999, 9999, 9999, 9999, 9999, and 9999 Parcel #s 8, 2, 1, 1.3, 21, 1.5, 06351182, 06351217, 06351235, 06351253, 06351262, 06351271, and 06351280, described as 141.07 acres, 7.76 acres, 397.92 acres, 325.77 acres, 3859.11 acres, 229.07 acres, 3801.89 acres (1/2 interest minerals), 200.92 acres (1/2 interest minerals), 818.41 acres (1/2 interest minerals), 7.76 acres (1/2 interest minerals), 178.69 acres (1/2 interest minerals), 117.47 acres (1/2 interest minerals), and 143 acres (1/2 mineral interests), in the amounts of \$317.70, \$21.26, \$970.76, \$852.86, \$10,620.26, \$591.68, \$705.72, \$37.94, \$134.82, \$4.84, \$33.28, \$22.24, \$23.20 (without calculation for interest or discount) and are **unpaid**. Taxes for the year 2026 constitute a lien, but are not payable until July 15, 2026.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ORT Form 4757 B II

Schedule B II – ALTA Commitment 2021 v. 01.00

07/01/2021

EXHIBIT A

DESCRIPTION OF PROPERTY for AUCTION TRACT 4

All of that certain lot, tract or parcel of land together with the buildings and improvements thereon, easements, rights of way, and the appurtenances thereunto belonging, situate in Richmond District, Raleigh County, West Virginia and more particularly described as follows:

FOURTH:

BEGINNING at a rebar with a cap found on the patent line of Moore and Beckley Lot No. 10 on one line of tract eight owned by Wilcox Industries and corner to Jimmy Joe Ballengee's 10.5 acre tract; thence leaving Ballengee and with tract eight S 57-39-31 E 2297.60 feet to a set stone (found) at two large chestnut stumps the intersection of fences; thence leaving tract eight and continuing with the patent line S 58-55-09 E 3479.59 feet to a "H"-Bar (found) in a fence corner, corner to Arthur H. Ballengee; thence leaving the patent line and with Ballengee S 30-55-38 W 1912.24 feet to an "H"-Bar (set) corner to Ballengee and Eleanor Bennett; thence leaving Ballengee and with Bennett for two lines N 49-30-32 W 1447.49 feet to an "H"-Bar (found); thence continuing with Bennett S 40-35-55 W 2118.19 feet to a "T" Rail (found) corner Bennett and Crook; thence leaving Bennett and with Crook in part S 56-15-46 W 1519.46 feet to a pipe (set flush) below road near a locust stump and a large rock corner to Arthur Richmond; thence with Richmond S 27-14-23 W 262.14 feet to a point in creek referenced by an angle in or which bears N 27-14-23 E 18.00 feet, said point corner to Arthur Richmond and Carlos Richmond; thence leaving Arthur Richmond and with Carlos Richmond N 73-30-48 W 252.55 feet to a point corner to Carlos Richmond; thence continuing with Richmond N 16-43-48 E 167.58 feet to a point; thence continuing with Richmond N 26-26-43 E 158.76 feet to a ½" iron rod (set) on the south side West Virginia Secondary Route 22; thence with the road the following three general courses and distances N 49-35-52 W 297.33 feet to a point; thence N 63-42-48 W 411.83 feet to a point; thence N 37-49-32 W 250.51 feet to a ½" bolt (set flush) on the south west bank of WV Secondary Route 22 corner to James Preston and Patricia Faye Richmond; thence leaving Carlos Richmond and crossing the road with J.P. Richmond in part N 87-38-40 E 1955.19 feet to a ½" iron rod (set) corner to Wendell H. Meador; thence continuing with Meador N 01-46-30 W 2231.30 feet to a ½" iron rod (set) corner to Meador; thence continuing with Meador in part S 87-53-58 W 4247.83 feet crossing WV Secondary Route 22 to a large white oak (found) in old rail fence corner to J.P. Richmond, John McKay and Jimmy Hornsby's 146 acre tract; thence leaving Richmond and McKay and with Hornsby N 67-39-11 E 1490.40 feet to a point on a steep hillside; thence continuing with Hornsby N 16-48-41 W 441.70 feet to a ½" iron rod (set) corner to Hornsby and Stafford; thence leaving Hornsby and with Stafford S 61-20-58 E 506.87 feet to a large white oak (found) on west side of a creek in old fence; thence continuing with Stafford in part N 31-18-05 E 2971.45 feet crossing WV Secondary Route 22 to the beginning containing 397.92 acres, more or less, as shown on a plat attached to Wilcox Industries, Inc. to Kenneth Gross in Deed Book 5003 at Page 9528.

And being a part of the same real property conveyed unto Wilcox Industries, Inc. by deed dated January 16, 2001 from Kenneth Gross, and being of record in the Office of the Clerk of the County Commission of Raleigh County in Deed Book 5003 at Page 9532.