

130002059

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

**AMENDED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 91-1119-0161-01**

Note: Order is being amended to reallocate acres within Tracts 11 & 11A due to out-conveyance of property, resulting in Tracts 11, 11A, 11B and 11C. In addition, the acreage within Tract 13 is being reallocated due to a voluntary partition of the estate of Roy C. Mutter.

ELECTIONS: BUNE1
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on January 15, 1999 which was recorded at Deed Book 487, Page 316 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on February 1, 1999, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to BUNE1;

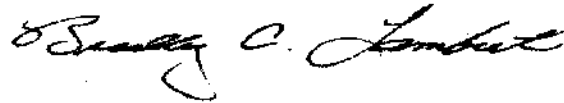
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company, 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and **IT IS SO ORDERED.**

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

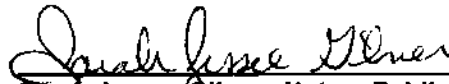
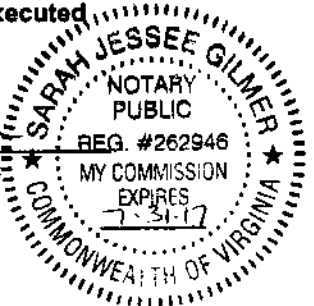
DONE AND EXECUTED this 7 day of October, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 7th day of October, 2013, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017

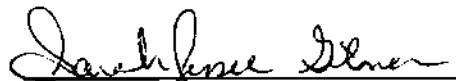
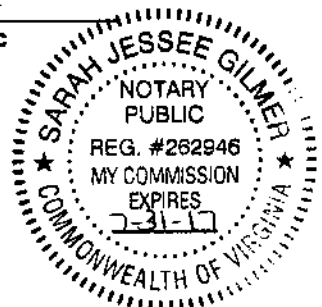
DONE AND PERFORMED this 8 day of October, 2013 by Order of the Virginia Gas and Oil Board.



Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 8th day of October, 2013, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, 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.


Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in BUNE1, VGOB 91-1119-0161-01 in Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on January 15, 1999, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on February 1, 1999;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of January 15, 1999;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be added and/or dismissed as respondents; the Operator requests that the following persons be added and/or dismissed as Respondents:

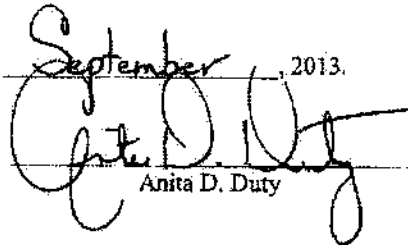
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

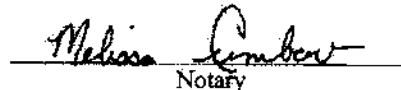
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 13th day of September, 2013.


Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 13th day of September, 2013.


Notary

My commission expires: April 9, 2023.



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EXHIBIT A-1 Supplement BUNE1 SGU

11 - Torch Oil & Gas Co. / CNX Gas Company LLC
35.60 Acres

11C - Torch Oil & Gas Co. / Garden Realty Corp.
2.38 Acres

11A - Torch Oil & Gas Co. / CNX Gas Company LLC
16.60 Acres

11B - Torch Oil & Gas Co. /
CNX Gas Company (1/2)
William Tickle, Jr. (1/2)
25.91 Acres

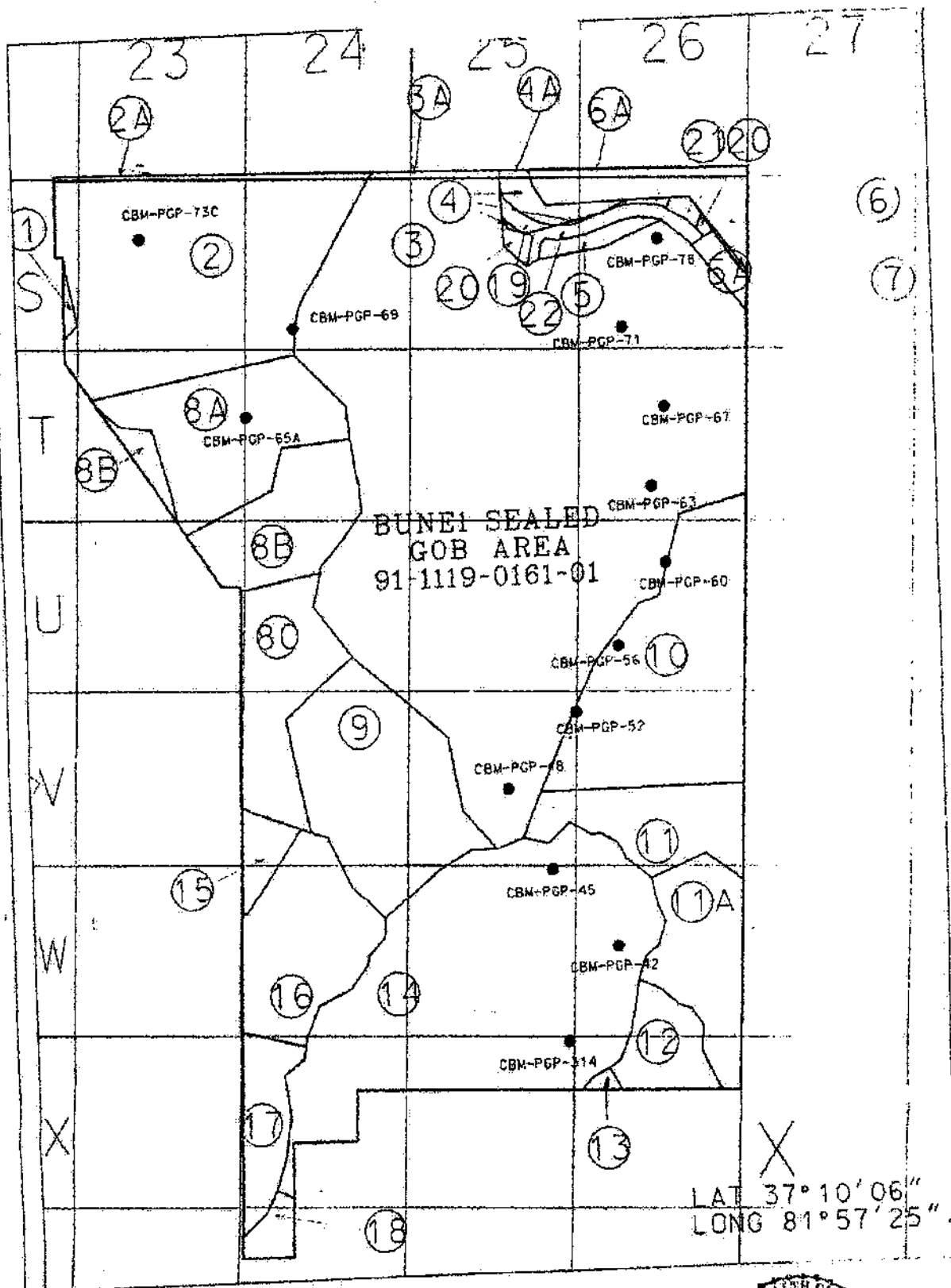
12 - Torch Oil & Gas Co. / Ira Mutter
20.44 Acres

13C - Torch Oil & Gas Co. / Monta Mutter
0.04 Acres

13A - Torch Oil & Gas Co. / Fern Duecaster
0.94 Acres

13B - Torch Oil & Gas Co. / Kimberly R. Davis
0.34 Acres

BUNE1 Sealed Gob Boundary



CONSOL INC.
 BUCHANAN NO. 1
 BUNE 1
 91-1119-0161-01
 EXHIBIT A1



DATE: 7-15-98
 SCALE 1"=1600'

CNX Gas Company LLC
UNIT BUNE 1
Tract Identification Supplement

11. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Oil and Gas
35.60 acres 2.3995%
- 11A. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Oil and Gas
16.60 acres 1.1189%
- 11B. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
William Tickle, Jr. – Oil and Gas (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
CNX Gas Company LLC – Oil and Gas (1/2)
25.91 acres 1.7463%
- 11C. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Garden Realty Corporation – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.38 acres 0.1604%
12. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Ira C. Mutter, et ux (L. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
20.44 acres 1.3777%
- 13A. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Fern Duecaster (R.C. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.94 acres 0.0634%
- 13B. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Kimberly Davis (R.C. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.34 acres 0.0229%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

**CNX Gas Company LLC
UNIT BUNE 1
Tract Identification Supplement**

- 13C. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal
 Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 Monta G. Mutter (R.C. Mutter Heirs) – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.04 acres 0.0027%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

1. Yukon Pocahontas Coal Co., et al - Tr. 19 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Pocahontas Gas Partnership - CBM Lessee
1.44 Acres 0.09706%
2. Yukon Pocahontas Coal Co., et al - Tr. 100 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Pocahontas Gas Partnership - CBM Lessee
143.84 Acres 9.89488%
- 2A. Yukon Pocahontas Coal Co., et al - Tr. 100 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Buchanan Production Company - CBM Lessee
4.76 Acres 0.32083%
3. Hugh MacRae Land Trust - Tr. 23 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
Garden Realty Corporation - Oil & Gas
526.17 Acres 35.46408%
- 3A. Hugh MacRae Land Trust - Tr. 23 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
United Coal Company
Buchanan Production Company - CBM Lessee
Buchanan Production Company - Oil & Gas Lessee
Garden Realty Corporation - Oil & Gas
2.61 Acres 0.17592%
4. Modern Homes Inc. - Coal Oil & Gas
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
4.87 Acres 0.32834%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

- 4A. Modern Homes Inc. - Coal Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 Buchanan Production Company- CBM Lessee
 Buchanan Production Company - Oil & Gas Lessee
 0.73 Acres 0.04820%
5. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Lida Vandyke 4/5 -Oil & Gas
 3.30 Acres 0.22242%
- 5A. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Yukon Pocahontas Coal Co. Et al. 4/5 -Oil & Gas
 3.89 Acres 0.26219%
6. Yukon Pocahontas Coal Co., et al - Tr. 20 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Pocahontas Gas Partnership - CBM Lessee
 19.38 Acres 1.30622%
- 6A. Yukon Pocahontas Coal Co., et al - Tr. 20 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Buchanan Production Company - CBM Lessee
 5.80 Acres 0.39092%
7. Yukon Pocahontas Coal Co., et al - Tr. 99 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Pocahontas Gas Partnership - CBM Lessee
 0.68 Acres 0.04651%

POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

- 8A. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
65.64 Acres 4.42416%
- 8B. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
Janet Weatherford - 1/8 Gas Royalty Interest
48.01 Acres 3.23589%
- 8C. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
Clinton Don Wood - 1/8 Gas Royalty Interest
48.22 Acres 3.25005%
9. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
S. J. Mullins Heirs - Oil & Gas
63.27 Acres 5.61243%
10. Hugh MacRae Land Trust - Tr. 6 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
103.33 Acres 6.96449%

POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

- | | | | |
|------|--|---|---------------------------------------|
| 11. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
37.98 Acres 2.55987% | } | (See Tract Identification Supplement) |
| 11A. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
½ Pocahontas Gas Partnership - Oil & Gas
½ William Tickle - Oil & Gas
42.51 Acres 2.86519% | } | (See Tract Identification Supplement) |
| 12. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
L. Mutter Heirs - Oil & Gas
20.44 Acres 1.37766% | | |
| 13. | Hugh MacRae Land Trust - Tr. 10 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
R. C. Mutter Heirs - Oil & Gas
1.32 Acres 0.08897% | } | (See Tract Identification Supplement) |
| 14. | Hugh MacRae Land Trust - Tr. 24 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
201.08 Acres 13.55283% | | |

POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

15. Hugh MacRae Land Trust - Tr. 13 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
9.35 Acres 0.63019%
16. Hugh MacRae Land Trust - Tr. 13 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
56.90 Acres 3.83508%
17. Hugh MacRae Land Trust - Tr. 13 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
23.22 Acres 1.56504%
18. Hugh MacRae Land Trust - Tr. 10 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
6.98 Acres 0.47046%
19. Virginia Department of Transportation - Coal (except P-3 seam), Oil & Gas
Consolidation Coal Company - Pocahontas #3 Seam
Pocahontas Gas Partnership - Oil & Gas Lessee
2.14 Acres 0.14424%
20. Hugh MacRae Land Trust - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Walter Wade Heirs 1/5 - Oil & Gas
Modern Homes Inc. 4/5 - Oil & Gas
10.00 Acres 0.67400%

POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

21. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Hairs 1/5 - Oil & Gas
 Pepsico of Norton Inc. 4/5 - Oil & Gas
 0.80 Acres 0.05382%
22. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Virginia Department of Transportation - Oil & Gas
 5.00 Acres 0.33700%

Exhibit B3
Unit BUNE1
Docket #YGOB 81-1119-0161-01
List of Unleased Owners/Claimants
(1483.57 Acre Unit)

	Net Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #19 - 2.14 Acres</u>		
(1) Commonwealth of Virginia (All Coal except P3 Seam) Department of Transportation 870 Bonham Road Bristol, VA 24201	2.14 acres	0.1442%
II. OIL & GAS OWNERSHIP		
<u>Tract #5 - 3.30 Acres</u>		
Lida Vandyke, et al. (8.72 Acre Tract - Lida Vandyke - 4/5 & Walter Wade Hiers - 1/5)	3.30 acres	0.2224%
(1) Lida Vandyke c/o Linda J. Holzgrefe 8972 West F. Avenue Kalamazoo, MI 49009	2.64 acres 4/5 of 3.30 acres	0.1779%
<u>Tract #19 - 2.14 Acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	2.14 acres	0.1442%
<u>Tract #22 - 5.00 Acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	5.00 acres	0.3376%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
<u>Tract #5 - 3.30 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 25 (38.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	3.30 acres	0.2224%
<u>CBM Royalty owner (from the Coal Owner only):</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
Lida Vandyke, et al. (0.72 Acre Tract - Lida Vandyke - 4/5 & Walter Wade Heirs - 1/5)	3.30 acres	0.2224%
(1) Lida Vandyke c/o Linda J. Holzgrefe 8972 West F. Avenue Kalamazoo, MI 49009	2.640 acres 4/5 of 3.30 acres	0.1779%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.055 acres 1/60 of 3.30 acres	0.0037%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.028 acres 1/120 of 3.30 acres	0.0019%
(a.2.2) Valmy Shannon 103 Bianton Drive Seaford, VA 23696-2522	0.028 acres 1/120 of 3.30 acres	0.0019%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.110 acres 1/30 of 3.30 acres	0.0074%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.028 acres 1/120 of 3.30 acres	0.0019%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
(c.4) Darrell Gillespie Address Pending	0.028 acres 1/120 of 3.30 acres	0.0019%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.037 acres 1/90 of 3.30 acres	0.0025%
(d.2) Michael T. Boyd 3649 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.037 acres 1/90 of 3.30 acres	0.0025%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.037 acres 1/90 of 3.30 acres	0.0025%
(e) Venia Wade Newberry 839 Daniel Drive Newport News, VA 23601-1701	0.110 acres 1/30 of 3.30 acres	0.0074%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.009 acres 1/360 of 3.30 acres	0.0006%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.009 acres 1/360 of 3.30 acres	0.0006%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.009 acres 1/360 of 3.30 acres	0.0006%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns <i>Deceased - No issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 138 Cedar Bluff, VA 24609	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.002 acres 1/1440 of 3.30 acres	0.0002%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.002 acres 1/1440 of 3.30 acres	0.0002%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.30 acres	0.0003%
Total tract acres	3.30	
Total tract percent	0.2224%	

Tract #5A - 3.89 Acres

COAL OWNERSHIP

(f) Hugh Macrae Land Trust Tr. 25 (36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akhn LLP 1 Bryant Park New York, NY 10034-6715	3.89 acres	0.2622%
<i>Coal Owners' claim to G&M Royalty:</i>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		

OIL & GAS OWNERSHIP

Yukon Pocahontas Coal Co., et al <i>(Tract 100 - Yukon Pocahontas Coal Co., et al - 4/5 & Walter Wade Hiers - 1/5)</i>	3.89 acres	0.2622%
(f) Yukon Pocahontas Coal Company, et al	3.112 acres 4/5 of 3.89 acres	0.2098%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.556 acres 1/2 of 3.112 acres	0.1049%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.346 acres 1/9 of 3.112 acres	0.0233%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.173 acres 1/18 of 3.112 acres	0.0117%
(d) Highland Resources, Inc/ North American Resources, Corp. * Five-Concourse Parkway, Suite 1650 Atlanta, GA 30328	1.037 acres 1/3 of 3.112 acres	0.0699%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.87 Acre Unit)

	Net Acres in Unit	Interest in Unit
* Note: Plum Creek Timberlands retained their CBM interest. Highland Resources, Inc. / North American Resources, Corp. is owner of the Oil & Gas Only		
(2) Walter Wade Heirs		
(a) Cari Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.085 acres 1/60 of 3.89 acres	0.0044%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.032 acres 1/120 of 3.89 acres	0.0022%
(a.2.2) Vainmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.032 acres 1/120 of 3.89 acres	0.0022%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns Documentation Pending	0.130 acres 1/30 of 3.89 acres	0.0087%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.4) Darrell Gillespie Address Pending	0.032 acres 1/120 of 3.89 acres	0.0022%
(d) Glayda Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Ratti Gilbert 3803 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.043 acres 1/90 of 3.89 acres	0.0029%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.043 acres 1/90 of 3.89 acres	0.0029%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.043 acres 1/90 of 3.89 acres	0.0029%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.130 acres 1/30 of 3.89 acres	0.0087%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1463.67 Acre Unit)

	Net Acres In Unit	Interest in Unit
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.011 acres 1/360 of 3.89 acres	0.0007%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Henaker, VA 24260-2104	0.011 acres 1/360 of 3.89 acres	0.0007%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.011 acres 1/360 of 3.89 acres	0.0007%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns <i>Deceased - No Issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.003 acres 1/1440 of 3.89 acres	0.0002%
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.003 acres 1/1440 of 3.89 acres	0.0002%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.3) Judy Tiedemann 530 160th Street Amery, WI 54001-2805	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.89 acres	0.0004%

Total tract acres 3.89
Total tract percent 0.2622%

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
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Tract #8B - 48.01 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	48.01 acres	3.2359%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC *** 1000 Consol Energy Drive Canonsburg, PA 15317	48.01 acres	3.2359%
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*** NOTE: The Royalty Interest was RETAINED by:

[Redacted text]

Tract #8C - 48.22 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	48.22 acres	3.2500%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC *** 1000 Consol Energy Drive Canonsburg, PA 15317	48.22 acres	3.2500%
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*** NOTE: The Royalty Interest was RETAINED by:

[Redacted text]

Tract #9 - 83.27 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	83.27 acres	5.6124%
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Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1493.67 Acres Unit)

	Net Acres in Unit	Interest in Unit
<u>Coal Owners' claim to CBM Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) S. J. Mullins, et al. Heirs, Devisees, Successors or Assigns	83.27 acres	5.6124%
(a) Stanford J. Mullins, Jr. Heirs, Devisees, Successors or Assigns (1/2)		
(a.1) Mary L. Mullins 580 Forest Hills Drive Pounding Mill, VA 24637	41.64 acres 1/2 of 83.27 acres	2.8062%
(b) Ralph Mullins (1/2)		
(b.1) Stanford Thomas Mullins Address Unknown	41.64 acres 1/2 of 83.27 acres	2.8062%
Total tract acres	83.27	
Total tract percent	5.6124%	

Tract #11A- 16.60 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	16.60 acres	1.1188%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(William Tickle, Jr. & Ruth Stuttp conveyed to Consol Energy Inc. by Deed dated 4/2/01, recorded at DB 1</i>	16.60 acres	1.1188%
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Tract #11B- 25.91 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	25.91 acres	1.7463%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP:</u>		
(1) CNX Gas Company LLC, et al	25.91 acres	1.7463%
(a) CNX Gas Company LLC 1000 Conso Energy Drive Canonsburg, PA 15317	12.96 acres 1/2 of 25.91 acres	0.8732%
(b) William Tickle, Jr. 1663 Chambers Rd Raven, VA 24639-8413	12.96 acres 1/2 of 25.91 acres	0.8732%

Tract #12 - 20.44 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6716	20.44 acres	1.3777%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP:

(1) L. Mutter Heirs, Devisees, Successors or Assigns		
(a) Eric Mutter, Jr.		
(a.1) Ira C. Mutter, et ux. Box 326 Rich Creek, VA 24147	20.44 acres	1.3777%

Tract #13A - 0.94 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6716	0.94 acres	0.0634%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009. Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
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OIL & GAS OWNERSHIP

(1) Fern Duecater 516 Clinton Street Ravenna, OH 44266	0.94 acres	0.0634%
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #13B - 0.34 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.34 acres	0.0229%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

OIL & GAS OWNERSHIP

(1) Kimberly R. Tucker (aka Kimberly R. Davis) 3930 McNaui Road Mansfield, OH 44903	0.34 acres	0.0229%
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #13C - 0.04 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.04 acres	0.0027%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1463.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
<i>Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.</i>		

OIL & GAS OWNERSHIP

(1) Montie Mutter 16713 Recreation Drive Lake Milton, OH 44429	0.04 acres	0.0027%
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #20 - 10.00 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr ?? (Per map - Tr 26 - 36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	10.00 acres	0.6740%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

Modern Homes Inc., et al. (38.00 Acre Tract: Modern Homes Inc. - 4/5 & Walter Wade Heirs - 1/5)	10.00 acres	0.6740%
(1) Modern Homes Inc. c/o James E. Childress P.O. Box 22 Vansant, VA 24656	8.00 acres 4/5 of 10.00 acres	0.5392%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.17 acres 1/60 of 10.00 acres	0.0112%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.08 acres 1/120 of 10.00 acres	0.0056%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.08 acres 1/120 of 10.00 acres	0.0056%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.33 acres 1/30 of 10.00 acres	0.0225%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.4) Darrell Gillespie Address Pending	0.08 acres 1/120 of 10.00 acres	0.0056%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3633 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.11 acres 1/90 of 10.00 acres	0.0075%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.11 acres 1/90 of 10.00 acres	0.0075%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.11 acres 1/90 of 10.00 acres	0.0075%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1703	0.33 acres 1/30 of 10.00 acres	0.0225%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.03 acres 1/360 of 10.00 acres	0.0019%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.03 acres 1/360 of 10.00 acres	0.0019%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.03 acres 1/360 of 10.00 acres	0.0019%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns <i>Deceased - No Issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Prorated as to Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1780 Knox Creek Road Hurley, VA 24620	0.01 acres 1/1440 of 10.00 acres	0.0005%
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.01 acres 1/1440 of 10.00 acres	0.0005%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.3) Judy Tiedemann 530 160th Street Amery, WI 54001-2805	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.01 acres 1/720 of 10.00 acres	0.0009%
Total tract acres	10.00	
Total tract percent	0.6740%	

Tract #21 - 0.80 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust <i>Tr 22 (Per map - Tr 25 - 36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6716	0.80 acres	0.0539%
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Good Owners' claim to GRM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88630

OIL & GAS OWNERSHIP

Pepsico of Norton, Inc., et al. <i>(0.80 Acre Tract - Pepsico of Norton, Inc. 4/5 & Walter Wade Heirs - 1/5)</i>	0.80 acres	0.0539%
(1) Pepsico of Norton, Inc. 12th Street & Park Avenue Norton, VA 24273	0.640 acres 4/5 of 0.80 acres	0.0431%

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.87 Acre Unit)

	Net Acres in Unit	Interest in Unit
(2) Waller Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.013 acres 1/60 of 0.80 acres	0.0009%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.007 acres 1/120 of 0.80 acres	0.0004%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.007 acres 1/120 of 0.80 acres	0.0004%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.027 acres 1/30 of 0.80 acres	0.0018%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.4) Darrell Gillespie <i>Address Pending</i>	0.007 acres 1/120 of 0.80 acres	0.0004%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.009 acres 1/90 of 0.80 acres	0.0006%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.008 acres 1/90 of 0.80 acres	0.0006%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.009 acres 1/90 of 0.80 acres	0.0006%
(e) Venia Wade Newberry 638 Daniel Drive Newport News, VA 23601-1701	0.027 acres 1/30 of 0.80 acres	0.0018%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.002 acres 1/360 of 0.80 acres	0.0001%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.002 acres 1/360 of 0.80 acres	0.0001%
(f.1.3) Louise R. Smith Heirs, Devises, Successors or Assigns <i>Heirs Unknown</i>	0.002 acres 1/360 of 0.80 acres	0.0001%
(f.2) Tom C. Smith Heirs, Devises, Successors or Assigns <i>Deceased - No Issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devises, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.4) Raymond S. Smith Heirs, Devises, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.5) Luther Smith Heirs, Devises, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devises, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hudley, VA 24620	0.001 acres 1/1440 of 0.80 acres	0.0000%
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.001 acres 1/1440 of 0.80 acres	0.0000%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 26610	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.001 acres 1/720 of 0.80 acres	0.0001%
Total tract acres	0.80	
Total tract percent	0.0539%	

Exhibit E
Unit BUNE1
Docket #VGOB 91-1118-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit
<u>Tract #22 - 5.00 Acres</u>		
<u>CDAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 22 (Part map - Tr 25 - 36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	5.00 acres	0.3370%
<u>Coal Owners' claim to CBM Royalty</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	5.00 acres	0.3370%
Total Acreage in Conflict		266.7600
Total Percentage in Conflict		17.9797%

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of all Conflicting Owners/Claimants with Royalty Division Agreements
1483.67 Acre Unit

	Net Acres in Unit	Interest in Unit
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Tract #3 - 526.17 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 23 (557.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	526.17 acres	35.4641%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	526.17 acres	35.4641%
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Tract #3A - 2.61 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 23 (557.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	2.61 acres	0.1759%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	2.61 acres	0.1759%
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Tract #6A - 65.64 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	65.64 acres	4.4242%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of all Conflicting Owners/Claimants with Royalty Division Agreements
1483.67 Acre Unit

	Net Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	65.64 acres	4.4242%

Tract #10 - 103.33 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 6 (226.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	103.33 acres	6.9645%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	103.33 acres	6.9645%
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Tract #11 - 37.60 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	35.60 acres	2.3995%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	35.60 acres	2.3995%
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Tract #11C - 2.38 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	2.38 acres	0.1604%
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Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of all Conflicting Owners/Claimants with Royalty Division Agreements
1483.67 Acre Unit

	Net Acres in Unit	Interest in Unit
<u>Coal Owners' claim to C&M Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	2.38 acres	0.1604%
<u>Tract #14 - 201.08 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 24 (252.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	201.08 acres	13.5528%
<u>Coal Owners' claim to C&M Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	201.08 acres	13.5529%
<u>Tract #15 - 9.35 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	9.35 acres	0.6302%
<u>Coal Owners' claim to C&M Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	9.35 acres	0.6302%

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of all Conflicting Owners/Claimants with Royalty Division Agreements
1483.87 Acre Unit

	Net Acres in Unit	Interest in Unit
<u>Tract #16 - 56.90 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	56.90 acres	3.8351%
<u>Coal Owners' claim to CBM Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consoil Energy Drive Canonsburg, PA 15317	56.90 acres	3.8351%
<u>Tract #17 - 23.22 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	23.22 acres	1.5650%
<u>Coal Owners' claim to CBM Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consoil Energy Drive Canonsburg, PA 15317	23.22 acres	1.5650%
<u>Tract #18 - 6.98 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	6.98 acres	0.4705%
<u>Coal Owners' claim to CBM Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		

Exhibit EE
Unit BUNE1
Docket #VQDB-91-1119-0161-01
List of all Conflicting Owners/Claimants with Royalty Division Agreements
1483.57 Acres Unit

	Net Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	6.98 acres	0.4706%
Total Conflicting Acreage Resolved		1030.8800
Total Conflicting Percentage Resolved		69.4818%

INSTRUMENT #130002039
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
OCTOBER 21, 2013 AT 01:43PM

BEVERLY B. TILLER, CLERK
RECORDED BY: GGB