Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA
§ 45.1-361.26

BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: *An Order for* Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

JURISDICTION: *Code of Virginia* § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: 535612
TRACT(S): Tract 2
LOCATION: Dickenson County, Virginia
TAX MAP ID: Exhibit B

DOCKET NUMBER: **VGOB 03-0819-1174-03 (corrected / revised: 08-15-2013)**

APPLICANTS: EQT Production Company on behalf of Elizabeth Ann Powers, Betty Lou Powers, *Darrell & Dorothy Powers, Gaynell and Clair Sykes and Range* Resources-Pine Mountain, Inc.

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia *April 17, 2012*

APPEARANCES: James Kaiser on behalf of EQT Production Company, Sharon Pigeon, Sr. Assistant, Attorney General representing the Board.

PRIOR PROCEEDINGS:

1. Original Pooling Order was heard 08/19/03, executed 11/12/03, recorded 11/24/03, Deed Book 393.
2. Supplemental Order was signed 01/05/04, executed 01/14/04, recorded 01/22/04, Deed Book 395.
3. Disbursement Order -01 was heard 10/18/11, executed 12/19/11, recorded 01/12/12, Deed Book 493.
4. Docket -02 was not fully assigned and pending.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the April 17, 2012 hearing and consider whether to:

(1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract 2 identified in the attached miscellaneous petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract 2 relative to the interests of the Applicants identified in the attached miscellaneous petition.

(3) **Close** the escrow account under this docket number.

FINDINGS: *Code of Virginia* § 45.1-361.22

Applicant has certified and represented to the Board that:

1. The owner of the coal estate for Tract 2 is Range Resources-Pine Mountain Inc. for the subject drilling unit.

2. The owner of the gas estate for Tract 2 is *Elizabeth Ann Powers, Betty Lou* Powers, Darrell & Dorothy Powers, and Gaynell and Clair Sykes for the subject drilling unit.

3. *Range Resources, by letter dated January 13, 2012 waived any claims* to past or to future royalties attributable to the interests of Troy Williams and *William Williams for Tract 2 as shown in* Table 1 attached as Page 3 of this order.

RELIEF GRANTED:

VGOB Approved Disbursement
VGOB-03-0819-1174-03
VC-535612

TABLE 1
Tract 2

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed
		Total acreage in escrow before disbursement				5.7900	
	2	Tract 2 total	5.79				
1	2	Elizabeth Powers, 1972 Rose Ridge, Clintwood, VA 24228		5.7900	25.0%	1.4475	25.0000%
2		Betty Lou Powers, 971 Dixie Road, Greenville, TN 37743		5.7900	25.0%	1.4475	25.0000%
3		Gaynell & Clair Sykes, 3719 Grandin Road, Roanoke, VA 24018		5.7900	25.0%	1.4475	25.0000%
4	2	Darrell & Dorthy Powers, P. O. Box 443, Clinchco, VA 24226		5.7900	25.0%	1.4475	25.0000%

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.

2. The Escrow Agent is ordered to CLOSE the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E *which replaces all prior Exhibit E's recorded for* the Subject Drilling Unit.

CONCLUSION:

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

APPEALS:

Appeals of this Order are governed by the provisions of the *Code of Virginia* § 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.

DONE AND EXECUTED this 25 day of March, 2013 by a majority of the Virginia Gas and Oil Board.

Chairman, Bradley C. Lambert

DONE AND PERFORMED this 25 day of March, 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 25th day of March, 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 and 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 they executed the same and was authorized to do so.

Diane J. Davis, Notary Public
174394

My Commission expires: September 30, 2013

DIANE J. DAVIS NOTARY PUBLIC REG. #174394 MY COMMISSION EXPIRES COMMONWEALTH OF VIRGINIA

DIANE DAVIS NOTARY PUBLIC REG. #174394 MY COMMISSION EXPIRES COMMONWEALTH OF VIRGINIA

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT:	EQT Production Company on behalf of Elizabeth Ann Powers; Betty Lou Powers; Darrell C Powers and Dorothy Powers; Gaynell P and Clair Sykes; and Range Resources-PMI.
DOCKET NUMBER:	VGOB 03/08/19-1174-02
RELIEF SOUGHT:	Supplemental Order for Disbursement of Escrowed Funds on behalf of Elizabeth Ann Powers; Betty Lou Powers; Darrell C Powers and Dorothy Powers; Gaynell P and Clair Sykes; and Range Resources-PMI.
LEGAL DESCRIPTIONS:	Drilling Unit Number 535612 created by Board Order Dated November 24, 2003, VGOB 03/08/19-1174 in Dickenson County, Virginia.
HEARING DATE:	April 17, 2012

MISCELLANEOUS PETITION

1. Party: Applicant herein is, Elizabeth Ann Powers (hereinafter "Plaintiff"), whose address is 1972 Rose Ridge, Clintwood, VA 24228; Betty Lou Powers (hereinafter "Plaintiff"), whose address is 971 Dixie Road, Greenville, TN 37743; Darrell C and Dorothy Powers (hereinafter "Plaintiff"), whose address is PO Box 443, Clinchco, VA 24226; Gaynell P and Clair Sykes (hereinafter "Plaintiff"), whose address is 3719 Grandin Road, Roanoke, VA 24018; and Range Resources-PMI, whose address is: P.O. Box 2136, Abingdon, VA 24212.

2. Facts:

a. Equitable was designated as the Operator and Applicants interests were Pooled in the 535612 Unit by Order of the Virginia Gas and Oil Board (hereinafter "Board") executed on November 3, 2003, pursuant to Docket No. VGOB 03/08/19-1174 and recorded in the Circuit Court Clerk's Office Dickenson County, Virginia on November 24, 2003, Book 393 Page 544 (hereinafter "Order").

b. The Order and Supplemental Order required the Escrow Agent named and appointed therein to establish an interest-bearing escrow account for funds pertaining to the above-referenced Unit and subject to escrow pursuant to the terms of the Order.

c. The Order and Supplemental Order further required the Operator to deposit bonus and royalty payments with the Escrow agent which could not be made because the person(s) entitled hereto could not be made certain due to conflicting claims of ownership.

d. Range Resources-Pine Mountain, Inc. was a conflicting claimant with the above-listed Plaintiff with regard to Tract 2 as created by Board Order as VGOB 03/08/19-1174 is the applicable Tract.

e. To resolve this conflict, a Letter dated February 2, 2012, signed by Phil Horn, Land Manager of Range Resources-Pine Mountain, Inc. is attached hereto and incorporated herein as Exhibit "A".

f. The amounts deposited with the Escrow Agent regarding the Unit need to be determined and distributed accordingly.

g. Any escrow amount, not yet deposited into the escrow account, held by Operator should also be determined, and distributed to Applicant/Plaintiff herein, accordingly.

h. Applicant/Plaintiff herein does hereby request that the Board enter amended supplemental order for the Unit directing the Escrow Agent and the Operator to disburse to the aforesaid Plaintiff the funds attributable to the previous conflicting claim with Pine Mountain, held in escrow for the VGOB number as listed above.

1. The Applicant certifies that the matters set forth in the application, to the best of her knowledge, information, and belief, are true and correct and that the form and content of the Application and conform to the requirements of relevant Board regulations and orders.

2. Legal Authority: Va Code Ann. §45.1-361.1 et seq., 4 VAC 25-160, and such other regulations and Board orders promulgated pursuant to law.

3. Relief Sought: Applicant requests that the Board issue amended supplement order amending all prior orders affecting the Unit which amended supplement order will provide as follows:

a. Determining the amount of funds attributable to the Applicants/Plaintiffs herein.

b. Directing the Escrow Agent to determine the amount of funds attributable to Applicant/Plaintiff herein, provide an accounting hereof, and disburse the funds on deposit with the Escrow Agent, including any applicable interest, pertaining to the interest in the Unit shown above for distribution.

c. Directing the Operator to determine the amount of funds attributable to the Applicant/Plaintiff herein, provide an

accounting thereof, and disburse the units in its hands, if any, subject to escrow but not then on deposit with the Escrow Agent, including any applicable interest, at the time of the Supplemental Order requested therein is executed, attributable to the Applicant/Plaintiff herein for distribution.

d. Directing the Operator to disburse the funds, including any applicable interest, and provide an accounting thereof, which it may receive after the date of the execution of the amended supplemental order requested in the Application, if any, attributable to the Applicant/Plaintiff herein, and to discontinue the payment of such funds into Escrow.

e. Granting such other relief as is merited by the evidence and is just and equitable whether or not such relief has been specifically requested herein.

Dated this 16th day of March, 2012.

By: _____
Petitioner

Address: Wilhoit & Kaiser
220 Broad St, Ste. 301
Kingsport, TN 37660

CERTIFICATE

The foregoing application to the best of my knowledge, information and belief is true and correct. Notice was given pursuant to Va. Code Ann. §45.1-361.19.

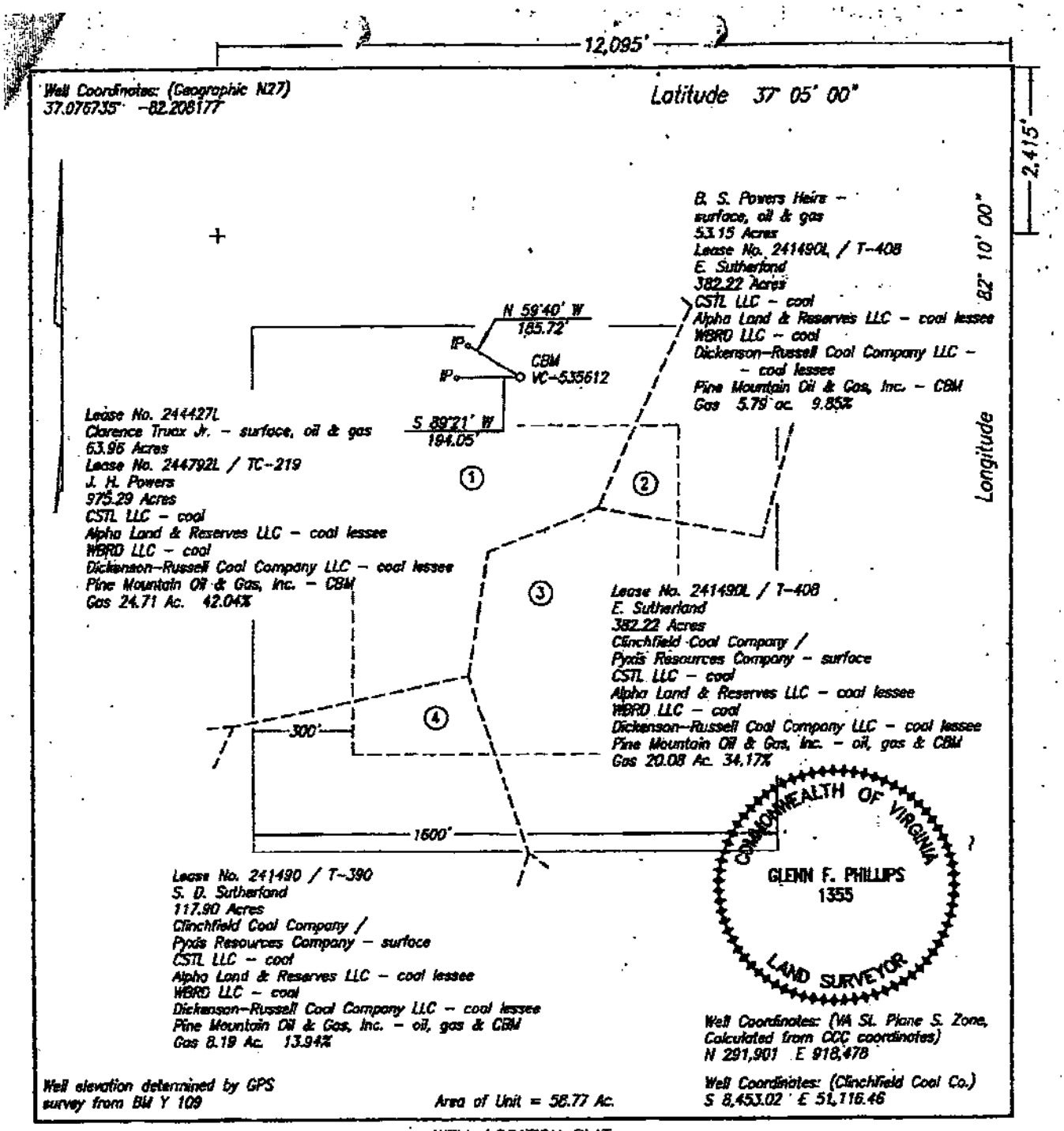
Petitioner

Amount from 01/2012 Escrow Agent Summary $27,650.37

		VGOB 03/08/19-1174-02 VC-535612	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds	Disbursement $
Item	Tract	Disbursement Table					
					5.79000000		
		Totals					
1	2	Elizabeth Powers*	1.4475	100%	1.4475	25.000000%	$6,912.59
2	2	Betty Lou Powers	1.4475	100%	1.4475	25.000000%	$6,912.59
3	2	Gaywell P Sykes and Clair Sykes	1.4475	100%	1.4475	25.000000%	$6,912.59
4	2	Darrell C and Dorothy Powers	1.4475	100%	1.4475	25.000000%	$6,912.59

Beginning acreage in escrow	5.79
Acreage disbursed	-5.79
Acreage remaining in escrow	0

* Interest formerly owned by Barnum S Powers, Jr.
Deeded to Elizabeth Ann Powers on May 25th, 2005
Deed recorded in Dickenson County, VA at Book 413 Page 389 Instrument Number 050001245



WELL LOCATION PLAT

COMPANY *Equitable Production Company* WELL NAME AND NUMBER *VC-535612*
TRACT NO. *Ls. No. 244427L* ELEVATION *2,235.82'* QUADRANGLE *Duty*
COUNTY *Dickenson* DISTRICT *Ervinton* SCALE *1" = 400'* DATE *9-08-2003*
This Plat is a new plat *X*; an updated plat ___; or a final location plat ___
· + Denotes the location of a well on United States topographic Maps, scale 1 to 24,000, latitude and longitude lines being represented by border lines as shown.

G. F. Phillips
~~Licensed Professional Engineer or~~ Licensed Land Surveyor

Form DGO-G0-7

February 2, 2012

RANGE RESOURCES

Mr. Darrell C. Powers
Mrs. Dorothy Powers
P.O. Box 443
Clinchco, VA 24226

Re: **Permanent Release of CBM Royalty**
Well VC-535612, VC-502970, VC-502597, and VC-2844
Dickenson County, Virginia

Dear Mr. and Mrs. Powers:

As you are aware, EQT Production Company ("EQT") has drilled the above-referenced coalbed methane gas wells on a 53.15 acre tract ("Subject Tract") either under a pooling order from the Virginia Gas and Oil Board ("Board") or as voluntary drilling unit. For these wells, we are listed as having conflicting claims. Range Resources - Pine Mountain, Inc. ("RRPM") is listed as claiming under a coal title, and you are listed as claiming under a gas title. The plats indicating the location of each of the wells within the operating units are enclosed for your reference.

EQT, as operator of the unit, has placed or will place all royalty proceeds attributable to conflicting claims into an escrow or suspense account. In order to allow release of the royalty proceeds, RRPM hereby waives any claims to past or to future royalties attributable to your interest in these wells.

By copy of this letter, RRPM is requesting EQT to initiate distribution directly to you of all current royalties, as well as all future royalties, attributable to your interests in these wells.

Please be advised that EQT may require that you demonstrate that you are the current owner of the gas estate. You should work directly with EQT on that issue.

If you have any questions, please do not hesitate to call me at 276-619-2583.

Sincerely,

RANGE RESOURCES-PINE MOUNTAIN, INC.

Phil Horn

Phil Horn
Land Manager

Enclosure

cc: Kristie Shannon, EQT
Debbie Louthian, RRPM

Range Resources – Pine Mountain, Inc.
406 W. Main Street P. O. Box 2136 Abingdon, VA 24212 Tel. (276) 628-9001 Fax (276) 628-7248

Abingdon: 779828-1

February 2, 2012

RANGE RESOURCES

Ms. Elizabeth Ann Powers
1972 Rose Ridge
Clintwood, VA 24228

Re: **Permanent Release of CBM Royalty**
Well VC-535612, VC-502970, VC-502597, and VC-2844
Dickenson County, Virginia

Dear Ms. Powers:

As you are aware, EQT Production Company ("EQT") has drilled the above-referenced coalbed methane gas wells on a 53.15 acre tract ("Subject Tract") either under a pooling order from the Virginia Gas and Oil Board ("Board") or as voluntary drilling unit. For these wells, we are listed as having conflicting claims. Range Resources - Pine Mountain, Inc. ("RRPM") is listed as claiming under a coal title, and you are listed as claiming under a gas title. The plats indicating the location of each of the wells within the operating units are enclosed for your reference.

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If you have any questions, please do not hesitate to call me at 276-619-2583.

Sincerely,

RANGE RESOURCES-PINE MOUNTAIN, INC.

Phil Horn

Phil Horn
Land Manager

Enclosure

cc: Kristie Shannon, EQT
Debbie Louthian, RRPM

Range Resources – Pine Mountain, Inc.
408 W. Main Street P. O. Box 2136 Abingdon, VA 24212 Tel (276) 628-9001 Fax (276) 628-7248

Abingdon: 779828-1

February 2, 2012

RANGE RESOURCES

Mrs. Gaynell P. Sykes
Mr. Clair Sykes
3719 Grandin Road
Roanoke, VA 24018

Re: **Permanent Release of CBM Royalty**
Well VC-535612, VC-502970, VC-502597, and VC-2844
Dickenson County, Virginia

Dear Mr. and Mrs. Sykes:

As you are aware, EQT Production Company ("EQT") has drilled the above-referenced coalbed methane gas wells on a 53.15 acre tract ("Subject Tract") either under a pooling order from the Virginia Gas and Oil Board ("Board") or as voluntary drilling unit. For these wells, we are listed as having conflicting claims. Range Resources - Pine Mountain, Inc. ("RRPM") is listed as claiming under a coal title, and you are listed as claiming under a gas title. The plats indicating the location of each of the wells within the operating units are enclosed for your reference.

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If you have any questions, please do not hesitate to call me at 276-619-2583.

Sincerely,

RANGE RESOURCES-PINE MOUNTAIN, INC.

Phil Horn

Phil Horn
Land Manager

Enclosure

cc: Kristie Shannon, EQT
Debbie Louthian, RRPM

Range Resources – Pine Mountain, Inc.
408 W. Main Street P. O. Box 2136 Abingdon, VA 24212 Tel (276) 628-5001 Fax (276) 628-7246

February 2, 2012

RANGE RESOURCES

Ms. Betty Lou Powers
971 Dixie Road
Greenville, TN 37743

Re: ***Permanent Release of CBM Royalty***
Well VC-535612, VC-502970, VC-502597, and VC-2844
Dickenson County, Virginia

Dear Ms. Powers:

As you are aware, EQT Production Company ("EQT") has drilled the above-referenced coalbed methane gas wells on a 53.15 acre tract ("Subject Tract") either under a pooling order from the Virginia Gas and Oil Board ("Board") or as voluntary drilling unit. For these wells, we are listed as having conflicting claims. Range Resources - Pine Mountain, Inc. ("RRPM") is listed as claiming under a coal title, and you are listed as claiming under a gas title. The plats indicating the location of each of the wells within the operating units are enclosed for your reference.

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If you have any questions, please do not hesitate to call me at 276-619-2583.

Sincerely,

RANGE RESOURCES-PINE MOUNTAIN, INC.

Phil Horn

Phil Horn
Land Manager

Enclosure

cc: Kristie Shannon, EQT
Debbie Louthian, RRPM

Range Resources – Pine Mountain, Inc.
406 W. Main Street P. O. Box 2136 Abingdon, VA 24212 Tel. (276) 628-9001 Fax (276) 628-7246

Abingdon: 779825-1

SUPPLEMENT "B"
VC-535612
VGOB-03/08/19-1174

2/21/2012

Minerals Only

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT	NET REVENUE INTEREST	
as Estate Only						
1	Clarence and Debra J. Truax, Jr. 238 Bugle Hill Lane Luray, VA 22835	Leased-EPC 244427L 01	42.040000%	24.7100	0.05255000	RI
	EQT Production Company				0.36785000	
Tract 1 Totals			42.040000%	24.7100	0.42040000	
2	B.S. Powers Heirs Barnum S. Powers* Route 1, Box 402 Clintwood, VA 24228	Unleased	2.462500%	1.4475	0.00307813	RI
	Darrell C. Powers and Dorothy Powers, his wife Box 443 Clinchco, VA 24226	Unleased	2.462500%	1.4475	0.00307813	RI
	Gaynell Sykes and Clair Sykes, H/W 3719 Grandin Road, S.W. Roanoke VA 24018	Unleased	2.462500%	1.4475	0.00307813	RI
	Betty Lou Powers, widow 971 Dixie Road Greenville, TN 37743	Unleased	2.462500%	1.4475	0.00307813	RI
	EQT Production Company				0.08618750	
Tract 2 Totals			9.850000%	5.7900	0.09850000	
3	Pittston Company** c/o Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart PO Box 5100 Lebanon, VA 24226	Leased-EPC 241490L 01 Tract T-408	34.170000%	20.0800	0.0427125	
	EQT Production Company				0.29898750	
Tract 3 Totals			34.170000%	20.0800	0.34170000	
4	Pittston Company** c/o Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart PO Box 5100 Lebanon, VA 24226	Leased-EPC 241490L 01 Tract T-390	13.940000%	8.1900	0.017425	
	EQT Production Company				0.12197500	
Tract 4 Totals			13.940000%	8.1900	0.13940000	
	TOTAL GAS ESTATE		100.000000%	58.7700	1.00000000	

oal Estate Only

1	Pittston Company**	Leased-EPC	42.040000%	24.7100	0.05255000	RI
	c/o Pine Mountain Oil & Gas, Inc.	244792L 01				
	Attn: Richard Brillhart	Tract TC-219				
	PO Box 5100					
	Lebanon, VA 24226					
	EQT Production Company				0.36785000	
Tract 1 Totals			42.040000%	24.7100	0.42040000	
2	Pittston Company**	Leased-EPC	9.850000%	5.7900	0.01231250	RI
	c/o Pine Mountain Oil & Gas, Inc.	241490L 01				
	Attn: Richard Brillhart	Tract T-408				
	PO Box 5100					
	Lebanon, VA 24226					
	EQT Production Company				0.08618750	
Tract 2 Totals			9.850000%	5.7900	0.09850000	
3	Pittston Company**	Leased-EPC	34.170000%	20.0800	0.04271250	
	c/o Pine Mountain Oil & Gas, Inc	241490L 01				
	Attn: Richard Brillhart	Tract T-408				
	PO Box 5100					
	Lebanon, VA 24226					
	EQT Production Company				0.29898750	
Tract 3 Totals			34.170000%	20.0800	0.34170000	
4	Pittston Company**	Leased-EPC	13.940000%	8.1900	0.01742500	
	c/o Pine Mountain Oil & Gas, Inc.	241490L 01				
	Attn: Richard Brillhart	Tract T-390				
	PO Box 5100					
	Lebanon, VA 24226					
	EQT Production Company				0.12197500	
Tract 4 Totals			13.940000%	8.1900	0.13940000	
	TOTAL COAL ESTATE		100.000000%	58.7700	1.00000000	

* Deeded to Elizabeth Ann Powers on May 25th, 2005.
Deed recorded in Dickenson County, VA at Book 413 Page 389 Instrument Number 050001245

** Presently:
Range Resources-Pine Mountain, Inc
Attn: Jerry Grantham
P.O. Box 2136
Abingdon, VA 24212

EXHIBIT "EE"
VC-535612
VGOB-03/08/19-1174

2/21/2012

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT	NET REVENUE INTEREST	
		Gas Estate				
		Distribution -01				
1	Clarence and Debra J. Truax, Jr. 238 Bugle Hill Lane Luray, VA 22835	Leased-EPC 244427L 01	42.040000%	24.7100	0.05255000	RI
	Total		42.040000%	24.7100	0.05255000	
	Total Subsequent to RR-PM Waiver		42.04	24.17	0.05255	
		Current Distribution				
		Gas Estate				
2	B.S. Powers Heirs Barnum S. Powers Route 1, Box 402 Clintwood, VA 24228	Unleased	2.462500%	1.4475		
	Darrell C. Powers and Dorothy Powers, his wife Box 443 Clinchco, VA 24226	Unleased	2.462500%	1.4475		
	Gaynell Sykes and Clair Sykes, H/W 3719 Grandin Road, S.W. Roanoke VA 24018	Unleased	2.462500%	1.4475		
	Betty Lou Powers, widow 971 Dixie Road Greenville, TN 37743	Unleased	2.462500%	1.4475		
	Totals		9.850000%	5.7900		

Coal Estate

2	Pittston Company** c/o Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart PO Box 5100 Lebanon, VA 24226	Leased-EPC 2414901 01 Tract T-408	0.000000%	0.0000
	Totals		**0.000000%**	**0.0000**

* Deeded to Elizabeth Ann Powers on May 25th, 2005.
Deed recorded in Dickenson County, VA at Book 413 Page 389 Instrument Number 050001245

** Presently:
Range Resources-Pine Mountain, Inc.
Attn: Jerry Grantham
P.O. Box 2136
Abingdon, VA 24212

BK 413PG 389 INSTRUMENT NO. 050000245
Recorded in the Clerk's Office
of Dickenson County

This instrument prepared by Benjamin F. Sutherland, Attorney-at-Law
Title Examination and Search for Liens not Performed

Tax ID #: 3505

DEED OF GIFT

RECORDATION TAX EXEMPT **Va. Code, § 58.1-811D**

THIS DEED OF GIFT, made this 25th day of May, 2005, by and between **BARNUM S. POWERS, JR.**, the Grantor, and **ELIZABETH ANN POWERS**, his wife, the Grantee, whose address is Route 1, Box 402, Clintwood, Virginia 24228.

WITNESSETH:

WHEREAS, Ritison Powers, who died April 16, 1929, by his will, duly probated and recorded in the Clerk's Office of Dickenson County, Virginia, in Will Book No. 2, page 67, devised 150 acres of his home place on the waters of Frying Pan Creek to his three sons, Trigg M. Powers, Barnum S. Powers, Sr. and Clyde Powers; and

WHEREAS, Trigg M. Powers, Barnum S. Powers, Sr. and Clyde Powers divided the 150 acre tract, and the share of Barnum S. Powers, Sr. was conveyed to him, as Barnum S. Powers, by Trigg M. and Tennessee Powers, husband and wife, and Clyde and Elma Powers, husband and wife, by deed dated July 22, 1948, of record in said Clerk's Office in Deed Book No. 94, page 465, the portion so conveyed to Barnum S. Powers, Sr., being described as containing 53.15 acres by survey made in 1930; and

WHEREAS, Barnum S. Powers, Sr. died intestate March 24, 1951, survived by his wife,

Andrew C. Powers (who thereafter died), and by his five children, Barnum S. Powers, Jr. (the Grantor herein), Darrell C. Powers, Franklin Powers, James Powers and Gay P. Sykes, as his heirs at law; and

WHEREAS, Barnum S. Powers, Jr. desires to convey all his undivided interest in the 53.15 acre tract to his wife, Elizabeth Ann Powers.

NOW THEREFORE THIS DEED FURTHER WITNESSETH.

That for and in consideration of love and affection for his wife, the Grantee, Grantor does hereby grant and convey to **ELIZABETH ANN POWERS**, with General Warranty and English covenants of title, all of Grantor's undivided interest in that certain tract of land, situated in Ervinton Magisterial District of Dickenson County, Virginia, on the waters of Frying Pan Creek, and more particularly described as follows:

	BEGINNING at a chestnut oak (lightning-struck) on a knob, cucumber and dogwood witnesses, corner of the H. W. Sutherland tract, formerly owned by the Clinchfield Coal Corporation, and also a corner to Parcel 1 of the Ritison Powers land, which Parcel was formerly owned by Clyde (B. C.) Powers; thence with the said Sutherland tract
S 71-54 E 252.7 feet	to a chestnut oak on a spur, 50.0 feet north of a fence and 15.0 feet south of a trail, maple and sourwood witnesses; thence
N 49-09 E 527.2 feet	to a concrete monument between two small chestnut stumps on a spur in the edge of a field, chestnut oak and black oak witnesses; thence
S 61-34 E 374.9 feet	to a stake in a gap at the head of Stone Coal Branch, 14.0 feet east of a stable, (two chestnut bushes called for), sassafras and barn shed post witnesses; thence
S 83-10 E 148.1 feet	to a concrete monument by a chestnut oak stump on a ridge, red oak and chestnut oak stump witnesses; thence

N 16-54 W 39.5 feet	to a dogwood in a field, 10.0 feet west of the top of the ridge, two sassafras witnesses; thence
N 30-41 E 393.5 feet	to two locusts (one dead), 30.0 feet west of the top of the ridge between Lick Branch and Frying Pan Creek, two chestnut witnesses, corner of the Ezekiel Sutherland Heirs tract, formerly owned by Clinchfield Coal Corporation; thence with said tract
S 39-36 E 834.4 feet	to three small sourwoods on a spur, chestnut and hickory witnesses; thence
S 67-01 W 298.0 feet	to a lynn in a hollow, 7.0 feet below the fence, poplar and chestnut witnesses; thence
S 01-21 W 414.6 feet	to a black gum on a spur, chestnut oak and sourwood witnesses; thence
S 30-09 W 252.0 feet	to a fallen ash in the center of a hollow, two chestnut witnesses; thence
S 32-43 E 377.3 feet	to a poplar and sourwood on a spur, chestnut and dogwood witnesses; thence
S 02-09 W 375.8 feet	to a chestnut oak on a spur, sourwood and chestnut witnesses; thence
S 14-55 W 360.1 feet	to a small black oak and sourwood on a spur, maple and dogwood witnesses; thence
N 79-15 W 509.5 feet	to a concrete monument by a poplar stump on a spur, two chestnut witnesses, corner of Parcel 3 of the Ritison Powers land, containing 63.96 acres, acquired by Trigg M. Powers by deed dated July 22, 1948, recorded in said Clerk's Office in Deed Book No. 94, page 463; thence with the Trigg M. Powers tract
N 25-27 E 666.5 feet	to a chestnut oak on the east edge of a spur, two sourwood witnesses; thence
N 51-49 W 488.4 feet	to a chestnut oak on a spur, chestnut oak and hickory witnesses; thence

S 46-38 W 424.7 feet	to a black pine on the south edge of the spur, chestnut and sourwood pointers; thence
N 43-57 W 1,112.7 feet	to a chestnut on a spur by a fence, corner of Parcel 1 of the Ritison Powers land; thence with same
N 18-45 E 511.4 feet	to the BEGINNING, containing 53.15 acres, by survey made in 1930, and being the same land conveyed to Barnum S. Powers, Sr. by Trigg M. and Tennessee Powers, husband and wife, and Clyde and Elma Powers, husband and wife, by deed dated July 22, 1948, of record in said Clerk's Office in Deed Book No. 94, page 465, and consisting of two smaller tracts, namely, (1) 30 acres conveyed by Ezekiel Sutherland and wife to Ritison Powers by deed dated October 5, 1893, of record in said Clerk's Office in Deed Book No. 13, page 417; and (2) a portion of the 154 acre tract conveyed by James H. Powers and wife to Ritison Powers by deed dated March 30, 1893, of record in said Clerk's Office in Deed Book No. 11, page 211.

All easements, rights of way and other appurtenances of the 53.15 acre tract in which an undivided interest is conveyed by this deed are hereby conveyed to the Grantee.

There is reserved and excepted from this conveyance the right of way across the above described land, for the benefit of Ritison Powers Tracts 1 (the Clyde Powers tract) and 3 (the Trigg M. Powers tract), which was reserved and excepted in the above mentioned deed from Trigg M and Clyde Powers and their wives to Barnum S. Powers, Sr.

There is also reserved and excepted all the coal and other materials and rights heretofore conveyed away by proper deeds of record.

WITNESS the following signature and seal.

Barnum S. Powers Jr. (SEAL)

BARNUM S. POWERS, JR.

STATE OF VIRGINIA

DB 510 PG715 BK 596PG 700

BK 413PG 393

COUNTY OF DICKENSON, to-wit

The foregoing instrument was acknowledged before me this 25th day of May, 2005, by Barnum S. Powers, Jr.

Charlotte Rose
NOTARY PUBLIC

My commission expires 9-30-2008.

INSTRUMENT #050001245
RECORDED IN THE CLERK'S OFFICE OF
DICKENSON ON
JUNE 15, 2005 AT 10:08AM
JOE TATE, CLERK

RECORDED BY: TJB

WRITING IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, June 15, 2005 this deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:08 o'clock A.M., after payment of $ ____ tax imposed by Sec. 58.1-802.

Original returned this date to: Elizabeth Powers

BY: Joe Tate, CLERK
D.C. CLERK

INSTRUMENT #130001219
RECORDED IN THE CLERK'S OFFICE OF
DICKENSON ON
SEPTEMBER 10, 2013 AT 12:57PM

RICHARD W. EDWARDS, CLERK
RECORDED BY: TLF