

DEED

THIS DEED, made this 3rd day of April, 2019, by and among **JEFFERY L. MCINTIRE**, as Executor for **THE ESTATE OF WILLIAM J. MCINTIRE; DONNA V. MCINTIRE; DEBRA K. BUCKLEITNER; SANDRA L. BRESSLER; KATHIE J. VAN HORN; JEFFERY L. MCINTIRE; and WILLIAM B. MCINTIRE**, individually, Parties of the First Part, Grantors, and **BLACK ROCK WIND FORCE, LLC, a Delaware limited liability company**, Party of the Second Part, Grantee.

NOW THEREFORE, WITNESSETH: That for and in consideration of the sum of Five Dollars (\$5.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the said Parties of the First Part do hereby GRANT and CONVEY unto the said Party of the Second Part, all of their interest in and to that certain lot, tract, or parcel of real property, together with the improvements thereon and all tenements, rights, privileges, appurtenances and hereditaments thereunto belonging, situate in the Elk District of Mineral County, West Virginia, and further identified as Tax Map 21, Parcel 36; Tax Map 21, Parcel 35; Tax Map 21, Parcel 34; and Tax Map 26, Parcel 9; and being more particularly described as follows, to-wit:

TRACT ONE: All the surface of the following described tract or parcel of land located in Elk District of Mineral County, West Virginia, bounded and described as follows:

BEGINNING at a stone pile on the east side of the Elk Garden Road corner to J.A. Dixon in one of the original lines of the Ward tract and running South 85-1/4 deg. West with Morgan Bane's line 16 poles to a stone pile under the brow of a hill; thence North 82-1/4 deg. West 25.6 poles to a stone pile between a hickory and elm in a stoney place; thence South 68-3/4 deg. West crossing a small drain at 44 poles in all 53 poles to a stone pile near the top of the hill an elm marked as pointer a little inside of Dixon's field; thence North 69-1/4 deg. West 6 poles to a sugar tree at the top of the hill a little below a spring; thence South 79-1/4 deg. West 8.8 poles to a flat rock near a hickory marked as a pointer, near the top of the hill; thence South 0 deg. 15' East 6 poles to a forked wild cherry tree; thence South 68-3/4 deg. West 63.6 poles to a red oak stump at the angle of the fence corner to

J. Frank Bane and William Junkins' Heirs; thence with the latter, South 26-1/4 deg. East 259 poles to a red oak and small maple a little on the south side of Emory Run and in a line of the old Simmons tract; thence with said line reversed, North 42 deg. East 39 poles to a stone pile now made in the root of two birches and a small standing beech, the second original corner of the Simmons tract and also the beginning corner to the 7 acre tract; thence with a line of the latter reversed and corrected, South 19 deg. East 36 poles to a stone pile, two gums and a small chestnut marked as pointers, a corner to Whip; thence with said Whip, South 44 deg. 25' West 62 poles to a stone pile and Spanish oak; thence South 39 deg. East 80 poles to a white oak at the angle of the fence; thence North 46 deg. 51' East 120 poles to a stone pile on the east side of the Elk Garden Road, corner to J.A. Dixon; thence with said road, North 9 deg. East 35 poles; North 6 deg. West 22 poles; North 32 deg. West 16 poles; North 47 deg. East 20 poles; North 14 deg. West 8.7 poles; North 4 deg. East 25 poles; North 41-1/2 deg. West 47 poles; North 32 deg. West 11.5 poles; North 12 deg. East 12 poles; North 16-1/2 deg. East 9.4 poles; North 16.8 poles; North 26 deg. West 38 poles; North 40 deg. West 34 poles; North 44 deg. West 26.8 poles; North 9-1/2 deg. West 9.6 poles to the BEGINNING, containing 337-3/4 acres, more or less.

TRACT TWO: Those three certain parcels of John T. Pierce land located in Elk District of Mineral County, West Virginia, and more particularly described as follows:

First: BEGINNING at a stake and stone pile, corner of W.H. Kitzmiller's 337-3/4 acre Dixon tract; and running thence North 68 deg. 30' East 8 poles to corner of A.C. Dixon's 43 acre tract; thence with his line North 19 deg. 45' West 20 poles to a stake in said Dixon's line; thence with said line reversed, South 74 deg. 15' West 63.75 poles to a stake in the division line between the said Morgan N. Bane and J. Frank Bane; thence with their line, reversed, South 21 deg. 30' East 26.125 poles to a stone pile in the division line between the said William H. Kitzmiller and the said Bane's lands; thence with said division line, North 68 deg. 30' East 40 poles to a forked wild cherry; thence North 00 deg. 30' West 6 poles; thence North 79 deg. East 8.8 poles; thence South 69 deg. 15' East 6 poles to the BEGINNING, containing 9 acres, 25 square poles, more or less.

Second: BEGINNING at a stake and stone pike in one of the original lines of William H. Kitzmiller's John Dixon tract and corner to Morgan N. Bane's 129 acre tract; and running thence South 68 deg. 30' West 24 poles to the remains of a red oak and sugar tree, corner of Charles Smith's 163 acre tract; thence North 35 deg. West 28.25 poles to a stake; thence North 74 deg. 15' East 30.33 poles to a stake in the division line between the said J. Frank Bane and Morgan N. Bane, and corner of the 9 acre, 25 square pole tract sold to the said William H. Kitzmiller by the said Morgan N. Bane and wife; thence South 21 deg. 30' East 26.125 poles to the BEGINNING, containing 4 acres, 87 square poles, more or less.

Third: BEGINNING at the remains of a oak and sugar tree, corner to the said William H. Kitzmiller's 337.75 acre Dixon tract, and Charles W. Smith's Junkins' tract; and running thence with said Smith's line, South 49 deg. 30' West 100.4 poles as called for by the Deed, to a stake and stone pile, corner to Morgan N. Bane's 116.5 acre tract; thence with the line reversed North 22 deg. 30' West 16.166 poles to a stone pile; thence North 49 deg. 30' East 98 poles as calculated by protraction to a small ash in the division line between the said J. Frank Bank and William H. Kitzmiller; thence with said division line, South 35 deg. East 16.666 poles to the BEGINNING, containing 10 acres, more or less.

TRACT THREE: All of the minerals, including the coal, underlying and within the following described tract or parcel of real estate located in Elk District of Mineral County, West Virginia, and more particularly described as follows, to-wit:

BEGINNING at a stone pile on the east side of the Elk Garden Road corner to J.A. Dixon in one of the original lines of the Ward tract and running South 85-1/4 deg. West with Morgan Bane's line 16 poles to a stone pile under the brow of a hill; thence North 82-1/4 deg. West 25.6 poles to a stone pile between a hickory and elm in a stoney place; thence South 68-3/4 deg. West crossing a small drain at 44 poles in all 53 poles to a stone pile near the top of the hill an elm marked as pointer a little inside of Dixon's field; thence North 69-1/4 deg. West 6 poles to a sugar tree at the top of the hill a little below a spring; thence South 79-1/4 deg. West 8.8 poles to a flat rock near a hickory marked as a pointer, near the top of the hill; thence South 0 deg. 15' East 6 poles to a forked wild cherry tree; thence South 68-3/4 deg. West 63.6 poles to a red oak stump at the angle of the fence corner to J. Frank Bane and William Junkins' Heirs; thence with the latter, South 26-1/4 deg. East 259 poles to a red oak and small maple a little on the south side of Emory Run and in a line of the old Simmons tract; thence with said line reversed, North 42 deg. East 39 poles to a stone pile now made in the root of two birches and a small standing beech, the second original corner of the Simmons tract and also the beginning corner to the 7 acre tract; thence with a line of the latter reversed and corrected, South 19 deg. East 36 poles to a stone pile, two gums and a small chestnut marked as pointers, a corner to Whip; thence with said Whip, South 44 deg. 25' West 62 poles to a stone pile and spanish oak; thence South 39 deg. East 80 poles to a white oak at the angle of the fence; thence North 46 deg. 51' East 120 poles to a stone pile on the east side of the Elk Garden Road, corner to J.A. Dixon; thence with said road, North 9 deg. East 35 poles; North 6 deg. West 22 poles; North 32 deg. West 16 poles; North 47 deg. East 20 poles; North 14 deg. West 8.7 poles; North 4 deg. East 25 poles; North 41-1/2 deg. West 47 poles; North 32 deg. West 11.5 poles; North 12 deg. East 12 poles; North 16-1/2 deg. East 9.4 poles; North 16.8 poles; North 26 deg. West 38 poles; North 40 deg. West 34 poles; North 44 deg. West 26.8 poles; North 9-1/2 deg. West 9.6 poles to the BEGINNING, containing 337-3/4 acres.

AND BEING the same real property conveyed unto William J. McIntire from Janet

Smith Holbrook, as Trustee for the Bankruptcy Estate of Ralph Austin Calandrella and Carolyn Sue Calandrella by Deed dated March 21, 2012, and of record in the office of the Clerk of the County Commission of Mineral County, West Virginia, in Deed Book 350, at page 527.

TO HAVE AND TO HOLD, said real property with all the rights, easements, privileges, appurtenances, and hereditaments thereunto belonging or in anywise appertaining unto Grantee, its heirs, and assigns forever.

This conveyance is expressly made subject to all prior reservations, exceptions, restrictions, covenants, easements, and rights-of-way, and other conditions, if any, as may be contained in the instruments of record in the chain of title for said real property.

Subject to any and all reservations, exceptions, restrictions, covenants, easements, and rights-of-way, and other conditions, if any, as may be contained in the instruments of record in the chain of title for said real property, and the real property taxes assessed against the hereby conveyed real property for 2019, the Grantor does hereby covenant to and with the Grantee that he will WARRANT GENERALLY the title to the real property hereby conveyed.

DECLARATION OF CONSIDERATION OR VALUE

The Grantors hereby declare that the consideration paid for the transfer of the property conveyed hereunder is the sum of ~~Seven Hundred Fifty Thousand Dollars (\$750,000.00)~~

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