

Dale Newell
592-6644

WARRANTY DEED

PEABODY COAL COMPANY, a corporation organized and existing under the laws of the State of Delaware, authorized to do business in the State of Ohio, with business address at 301 North Memorial Drive, St. Louis, Missouri 63102, for and in consideration of the exchange of 712.67 acres of National Forest land in Perry County, Ohio, and the payment of an additional consideration of THIRTY-FOUR THOUSAND AND NO/100 DOLLARS (\$34,000.00), which land and additional consideration are of equal value to the land herein conveyed, the receipt of which is hereby acknowledged, as authorized by the Act of Congress approved March 1, 1911 (16 U.S.C. 516), as amended, and the Act of Congress approved October 21, 1976 (43 U.S.C. 1716), grants with general warranty covenants, to the UNITED STATES OF AMERICA, Washington, D.C., and its assigns, the land situate in the Township of York, County of Athens, Ohio, more particularly described in the survey description attached hereto and made a part hereof as EXHIBIT A, containing 953.57 acres, more or less.

RESERVING TO the Grantor, its successors and assigns, all coal and the right to enter upon the above-described land to prospect for, mine and remove coal therefrom, subject to the Rules and Regulations of the Secretary of Agriculture dated April 30, 1963, attached hereto and made a part hereof as EXHIBIT B.

SUBJECT TO easements for established or existing roads, highways, railroads, and utilities, including an electric transmission line set forth in Deed Book 210, Page 156.

SUBJECT ALSO TO covenants not to interfere with the flow of Floodwood Creek and not to permit the piling of "gob" or other debris along the railroad track set forth in Deed Book 210, Page 156.

SUBJECT FURTHER TO coal and coal rights and leases therefor outstanding of record in third parties.

Prior Instrument Reference: Deed Book 281, Page 403

102

2

The acquiring agency is the Forest Service, Department of Agriculture.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its corporate name by its VICE PRESIDENT-RESOURCE MANAGEMENT and its corporate seal to be hereunto affixed this 14th day of JUNE, 1982.

In the presence of: PEABODY COAL COMPANY

J.M. Bagby

BY IRL F. ENGELHARDT
IRL F. ENGELHARDT

Harold D. Ramsey

Its VICE PRESIDENT-RESOURCE MANAGEMENT

(CORPORATE SEAL)

ATTEST:

Marvin O. Young
MARVIN O. YOUNG
Secretary

STATE OF MISSOURI)
) ss
COUNTY OF ST. LOUIS)

On this 14th day of JUNE, 1982, before me, a Notary Public in and for said County and State, personally appeared IRL F. ENGELHARDT, to me personally known, who, being by me duly sworn, did say that he is the VICE PRESIDENT-RESOURCE MANAGEMENT of PEABODY COAL COMPANY, a corporation organized and existing under the laws of the State of Delaware, and that he is duly authorized to execute the foregoing instrument in the name of and on behalf of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed for, on behalf of, and in the interest of said corporation, and the said IRL F. ENGELHARDT acknowledged said instrument to be the free act and deed of said corporation.

Fern J. Biggs
Notary Public

MISSOURI
PUBLIC
NOTARY
(NOTARIAL SEAL)

My commission expires:
FERN J. BIGGS
NOTARY PUBLIC, STATE OF MISSOURI
MY COMMISSION EXPIRES 11/14/84
ST. LOUIS COUNTY

This instrument was drafted by Conrado M. Almario, Attorney, Office of the General Counsel, U.S. Department of Agriculture, Milwaukee, Wisconsin.

TOWNSHIP TWELVE (12) NORTH, RANGE FIFTEEN (15) WEST, OHIO RIVER SURVEY,

SECTION TWO (2)

Part of Section 2, beginning at the northwest corner of Section 2, the same being in the center of the Hocking River;
thence south along the west line of Section 2 to the southwest corner of Section 2,
thence east along the south line of Section 2 a distance of 3,663 feet to a point on the south line of Section 2,
thence north on a line parallel to the west line of Section 2 to the south line of the Columbus and Southern Ohio Electric Company Railroad right-of-way,
thence westerly along the south line of said right-of-way to the east line of Lot 606,
thence south along the east line of Lot No. 606, to the southeast corner of the north one-half of Lot No. 606,
thence west along the south line of the north one-half of Lot No. 606 to the east line of Lot No. 607,
thence north along the east line of Lot No. 607 to the centerline of the Hocking River,
thence northwesterly with the meanderings of the Hocking River to the place at the beginning, containing 290.97 acres, more or less,

EXCEPT, the following described tract, commencing from the southwest corner of Section 2,

thence S85°36'E, 611.87 feet to the point of beginning;
thence with the south line of Section 2, S85°36'E, 277.64 feet;
thence N39°31'W, 1282.05 feet to the west line of Section 2;
thence with the west line of Section 2, S4°25'W, 288.26 feet;
thence S39°31'E, 881.89 feet to the place of beginning, containing 4.97 acres, more or less,

leaving the total acreage to be conveyed hereby being 286.0 acres, more or less,

being a part of those premises conveyed by New York Coal Company by deed dated January 30, 1954, recorded March 2, 1954, in Book 215, page 406 of Athens County Records.

SECTION SEVEN 7

W1/2NW1/4NW1/4 - Containing 20 acres, more or less

W1/2E1/2NW1/4NW1/4 - Containing 10 acres, more or less

Leaving the total acreage to be conveyed in Section 7 hereby being 30 acres, more or less.

W H H
5-3-54

SECTION EIGHT (8)

All of Section 8, containing 658.42 acres, more or less,

EXCEPT, the following described tract: commencing at the intersection of the north line of Section 8 with the centerline of the Columbus and Southern Ohio Electric Company Railroad;

thence with the north line of Section 8, west 950 feet to the place of beginning;

- thence, S7°00'W, 850 feet;
- thence, S6°00'E, 1650 feet;
- thence, S35°00'W, 548.5 feet;
- thence, S80°00'W, 700 feet;
- thence, N63°30'W, 983 feet;
- thence, N23°00'W, 1450 feet;
- thence, N23°00'E, 950 feet;
- thence, N25°00'W, 450 feet;

0.17
0.35
12.17

thence, with the north line of Section 8, east 2200 feet to the place of beginning, containing 137.71 acres, more or less,

Being those premises conveyed to Athens County, Ohio, by Peabody Coal Company, a Delaware Corporation, by deed dated June 23, 1969, and recorded in Athens County, Ohio, in Deed Book Volume 290, Page 315;

FURTHER EXCEPTING, the following described tract of land: commencing at the southeast corner of Section 8,

thence with the east line of Section 8, N4°25'E, 635.05 feet to the place of beginning;

- thence with the Section line, N4°25'E, 288.26 feet;
- thence N39°31'W, 1033.98 feet;
- thence S50°29'W, 200 feet;
- thence S39°31'E, 1241.56 feet to the place of beginning, containing 5.22 acres more or less,

Leaving the total acreage to be conveyed hereby being 515.49 acres, more or less,

Being a part of those premises conveyed by New York Coal Company by deed dated January 30, 1954, recorded March 2, 1954, in Book 215, Page 406, of Athens County Records.

SECTION NINE (9)

All that part of River lots 610 and 611 lying west of a line parallel to and 1460 feet west of the east line of Section 9, containing 80.17 acres, more or less;

EXCEPT the following described tract: beginning at the southwest corner of River Lot No. 610,
thence with the west line of River Lot 610, N3°30'E, 79 feet;
thence N79°05'E, 588 feet;
thence, from the previous tangent line northeasterly by a curved line to the left whose radius is 1382.7 feet a distance of 506.6 feet;
thence, by a tangent line, N58°05'E, 150 feet to a point in the public road;
thence, with the center of the public road N61°30'E, 414 feet;
thence N50°00'E, 150 feet;
thence N20°30'E, 62 feet, to a point in the north line of Lot No. 611;
thence, with the north line of Lot No. 611, S87°30'E, 229 feet;
thence S58°05'W, 948 feet;
thence, from the previous tangent line, in a southwesterly direction by a curved line to the right whose radius is 1482.7 feet, a distance of 543.1 feet;
thence, by a tangent line S79°05'W, 491 feet, to a point in the south line of Lot No. 610;
thence, with the south line of Lot No. 610, N86°30'W, 113 feet, to the place of beginning, containing 4.21 acres, more or less,

17.16 N
5.12 E

FURTHER EXCEPTING, the following described tract: beginning at a point on the south line of River Lot No. 610, 113 feet East of the southwest corner of said lot,
thence, with the south line of Lot No. 610, S86°30'E, 1420 feet to the center of State Highway 691;
thence, with the centerline of State Highway 691, the following courses and distances: N9°00'W, 132 feet;
N1°30'E, 132 feet;
N13°15'E, 180 feet;
N16°30'E, 286 feet;
to a point in the center of said highway and on the southerly line of a 4.21 acre tract conveyed by New York Coal Company to the Hocking Valley Railway Company by deed dated May 16, 1914, and recorded in Athens County Deed Book 119 at Page 46,
thence, with the lines of said deed S58°05'W, 633 feet;
thence, from the previous tangent line southwesterly by a curved line to the right whose radius is 1482.7 feet, a distance of 543.1 feet;
thence, S79°05'W, 491 feet to the point of beginning, containing ~~8.40~~ 8.61 acres, more or less,

0.10 N
0.14 E

8.61

Leaving the total acreage to be conveyed hereby being 67.56 acres, more or less,

13

SECTION NINE (9)

Beginning at a point on the south line of River Lot No. 612 at a distance of 1460 feet west of the intersection of said lot line with the section line between Section 3 and 9;
thence WEST along the south line of Lot No. 612 a distance of 2089.8 feet;
thence N59°16'E, by a tangent line, 522.76 feet;
thence in an easterly direction by a curved line to the right with a radius of 916.73 feet, a distance of 690.66 feet;
thence S77°34'E, 576.25 feet;
thence with the center of Floodwood Run, N36°W, 53 feet;
thence S77°34'E, by a tangent line, 350 feet;
thence in a southeasterly direction by a curved line to the left with a radius of 614 feet, a distance of 116 feet;
thence S3°47'W, 204.1 feet to the place of beginning, containing 13.32 acres, more or less,

note
C. P. 11
0.06E

1.165

Being the same tract conveyed to New York Coal Company by Columbus and Southern Ohio Electric Company by deed dated January 11, 1952, and recorded in Athens County Deed Book 210, at Page 156.

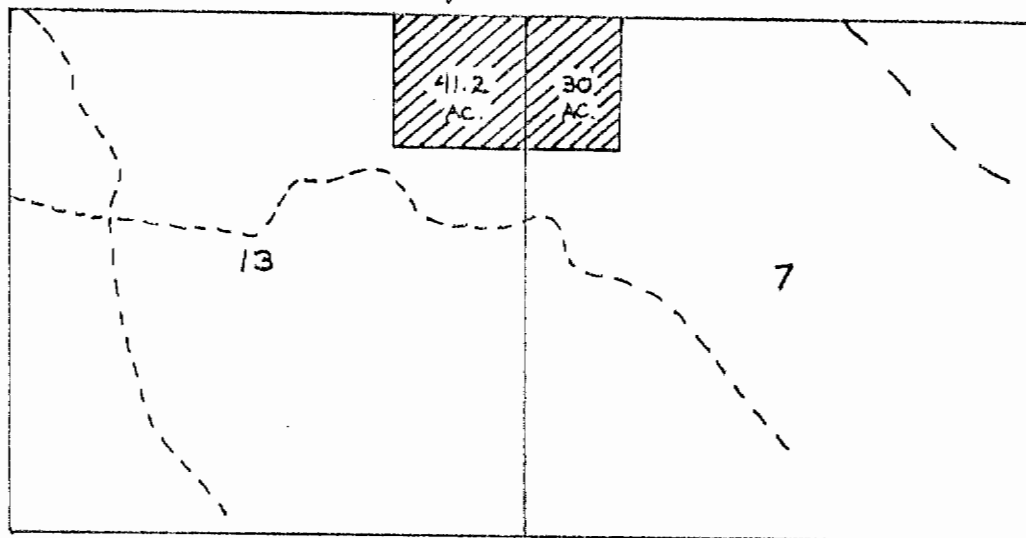
SECTION THIRTEEN (13)


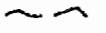
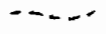
NE1/4NE1/4, containing of record 41.2 acres, more or less.

Leaving the total acreage in all tracts to be conveyed hereby being 953.57 acres more or less.

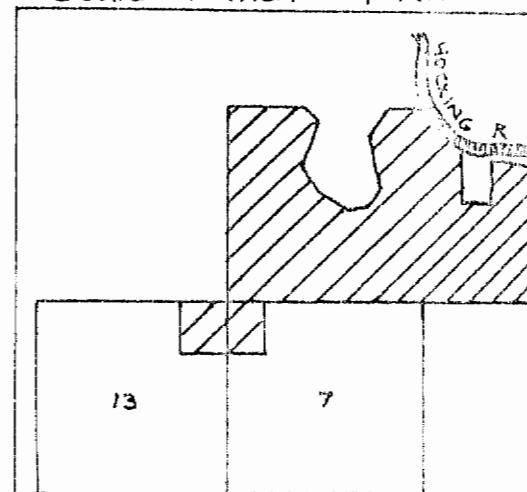
14

WAYNE NATIONAL FOREST
 PEABODY COAL COMPANY TRACT
 A-8103
 T12N, R15W
 Sections 7 & 13



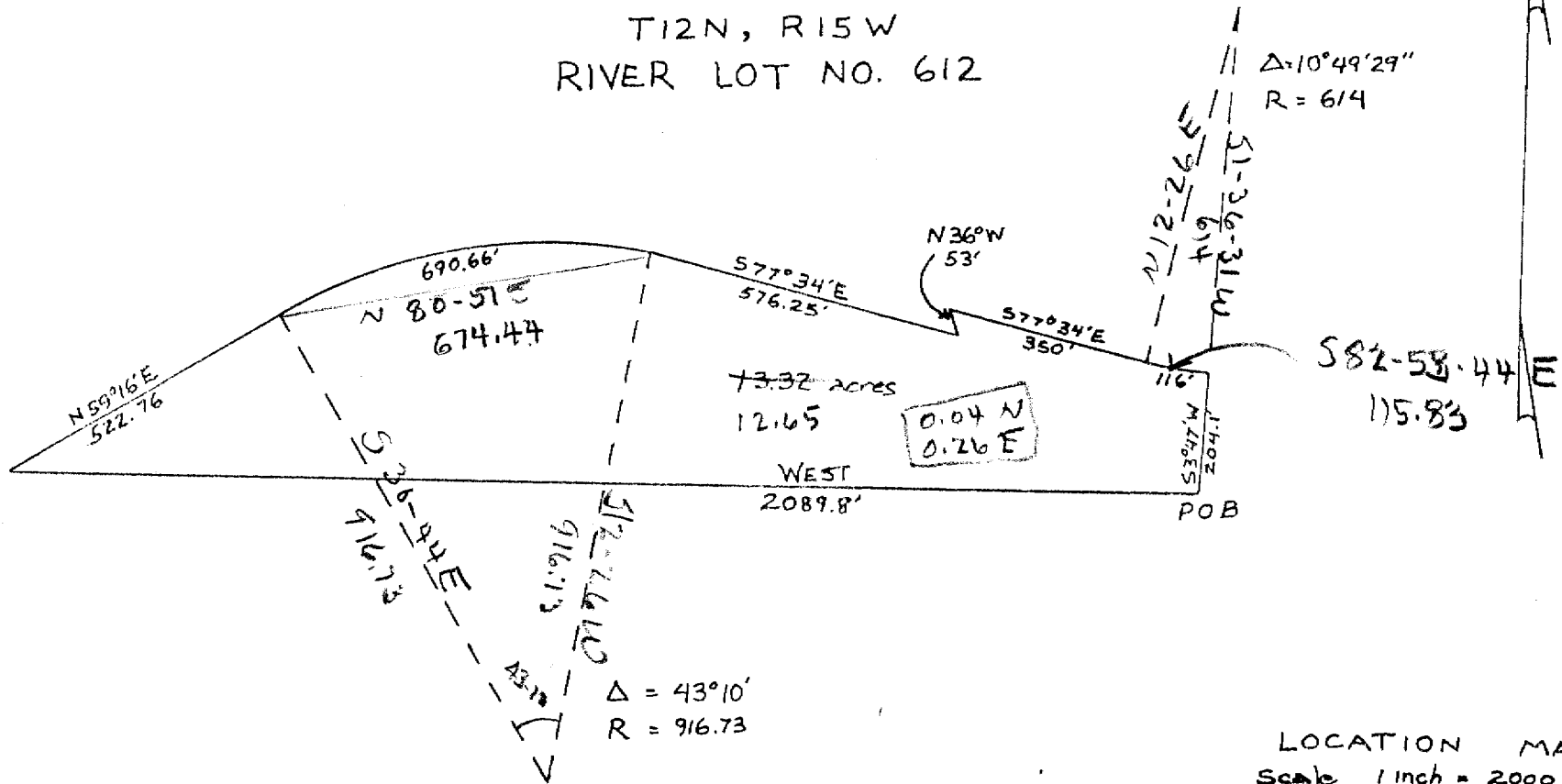
LEGEND
 Optioned Land
 State Highway
 County Road
 Scale 1 inch = 2000 feet

LOCATION MAP
 Scale 1 inch = 1 mile



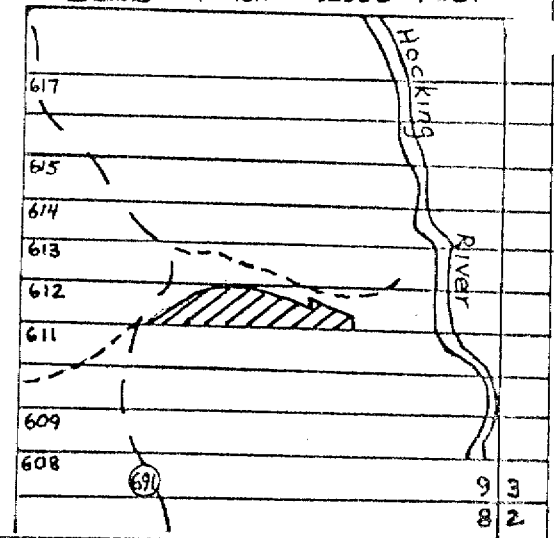
15

WAYNE NATIONAL FOREST
 PEABODY COAL COMPANY TRACT
 A-8103
 T12N, R15W
 RIVER LOT NO. 612

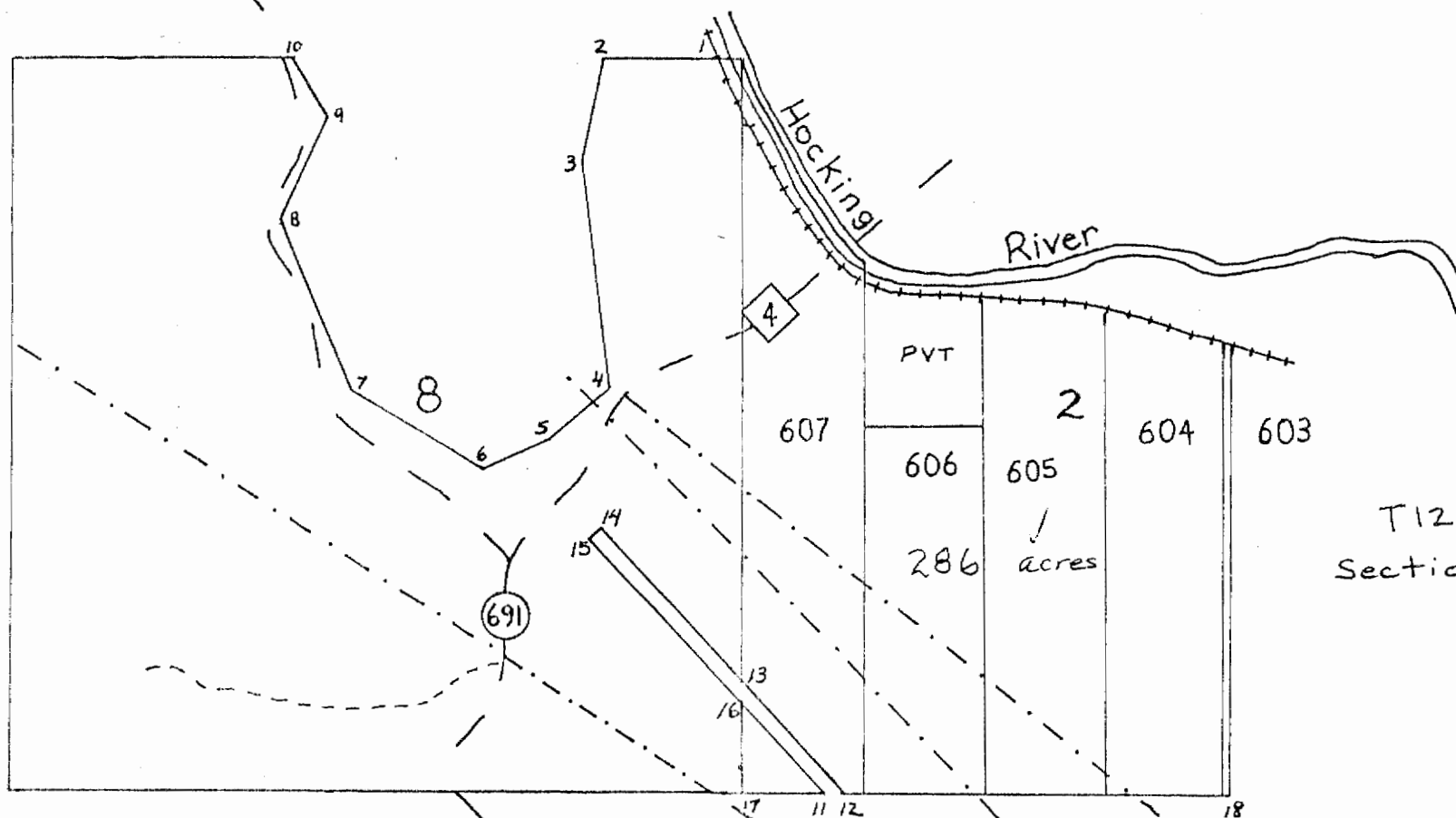


- LEGEND
- Optioned Land
 - POB Point of Beginning
 - R Radius
 - Δ Delta Angle
 - State Highway
 - Unimproved Road
 - Scale 1 inch = 300 feet

LOCATION MAP
 Scale 1 inch = 2000 feet



WAYNE NATIONAL FOREST
PEABODY COAL COMPANY TRACT
A-8103









T12N, R15W
Sections 2 & 8

LOCATION MAP
Scale 1 inch = 1 mile

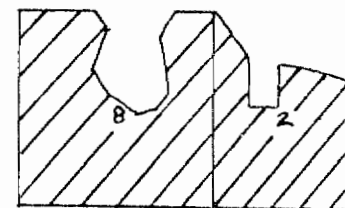
LINE	BEARING	FEET
1-2	WEST	950
2-3	S7°00'W	850
3-4	S6°00'E	1650
4-5	S35°00'W	548.5
5-6	S8°00'W	700
6-7	N63°30'W	983
7-8	N23°00'W	1450
8-9	N23°00'E	950
9-10	N25°00'W	450
10-2	EAST	2200

LINE	BEARING	FEET
11-12	S85°36'E	277.64
12-13	N39°31'W	1282.05
13-16	S4°25'W	288.26
16-11	S39°31'E	881.89
16-13	N4°25'E	288.26
13-14	N39°31'W	1033.98
14-15	S50°29'W	200
15-16	S39°31'E	1241.56
17-18	EAST	3663

LEGEND

-  Optioned Land
-  State Highway
-  County Road
-  Unimproved Road
-  Powerline ROW
-  Railroad

Scale 1 inch = 1320 feet
Platted by: D. Newell



18