Law Office
MICHAEL P. YEAGER
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September 22, 1993

Mr. & Mrs. Willis H. Cunkelman
R.D. 2, Box 356
Blairsville, Pa 15717

Re: Deed from Peterson

Dear Mr. & Mrs. Cunkelman:

Enclosed please find the right of way Agreement dated July 5, 1993 between the Deemer Estate heirs and the Petersons. This Agreement is recorded in the Clearfield County Recorder of Deeds Office in Deeds & Records Vol. 1555 at page 295. Also enclosed please find the deed dated September 9, 1993 from Robert W. Peterson and Twila G. Peterson to you. This deed is recorded as aforesaid in Vol. 1555 at page 303.

Very truly yours,

Michael P. Yeager

MPY/ljs
Enclosure

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September 10, 1993

Mr. & Mrs. Willis H. Cunkelman
R.D. 2, Box 356
Blairsville, PA 15717

Re: Purchase from Peterson
My File No. Y-1842

Dear Mr. & Mrs. Cunkelman:

In accordance with your instructions of September 9, 1993, I proceeded with recording of both the Agreement relative to the Deemer right of way as well as the deed from Mr. and Mrs. Peterson. I will be forwarding the originals of those documents once received from the courthouse; but the same can be found in Deeds & Records Vol. 1555 at page 295 (Deemer Agreement) and page 303 (your deed).

I am enclosing the Recording Receipt which indicates your check number 3806 was utilized to pay all of the recording fees. You may want to keep this and review its usefulness at the time you either prepare your income tax return or otherwise keep the same in a file giving rise to your information as to the actual cost basis for this property.

As per the Settlement Statement (a copy of which you already have), I understand that the sum of $13,000 has been delivered to Mr. and Mrs. Peterson. You must rely upon them to live up to their promise to pay the current outstanding school taxes in the amount of $335.64. This was in return for your agreement to pay all deed preparation costs and transfer taxes.

I also want to confirm our discussions relative to title. Please note that my title examination extended to surface ownership only as to the Bell Township property bearing assessment map number 102-B8-2. Furthermore, my examination extended for a period of no more than 50 years and is limited to review as to the following indices in the Clearfield County Courthouse: Deeds, Mortgages and Miscellaneous recorded documents in the Recorder of Deeds Office; Judgments, Ejectment and Miscellaneous Actions, Equity entries, Federal Tax Liens, Lunacy Entries and Secured Transactions in the Prothonotary's Office. Additionally, tax assessment records and returns were reviewed for a period of ten years.

Based upon the above examination, I am of the opinion that you did secure good and marketable title from Robert W. Peterson and Twila G. Peterson.

However, I would condition my opinion specifically upon the following:

1. As we've discussed, a right of way was reserved by Peterson but only as to a portion of the area needed to reach your property from the existing township road. When the second transaction involving James L. Mills took place, the 125 foot right of way found in Deed Book 708 at page 417 was cut off (see Deeds & Records 1027 at page 178). You may want to secure an extension of the right of way from James L. Mills and Kathie A. Mills.

2. Mr. Peterson also excepted and reserved a right of way in a deed to Andrew Copenhaver (D&R Vol. 1180, page 381). As we discussed, I included mention as to this right of way in your deed from Mr. and Mrs. Peterson; but it's unlikely that you'll ever utilize the same as we discussed.

3. Additionally, in your chain of title, there is mention of an exception and reservation to Weldon Rhodes and Kay Dutton Rhodes with regard to the right to have and use water from the property you've purchased. Curiously, the same is not contained in the actual conveyance to Mr. and Mrs. Rhodes; but the same may have been subsequently conveyed. At any rate, you must be aware of the possibility that Rhodes will attempt to exercise the right in view of the fact that the same is mentioned in your chain of title in the deed dated July 12, 1966 and recorded in Deed Book 523, page 230.

4. Generally, there are numerous references as to the petroleum, oil and gas. There is very little question but that you do not own the petroleum, oil or gas and the same is apparently already leased. However, I make no specific opinion in this regard and base the statement simply upon appearance of the reservations in the various deeds in the chain of title. Furthermore, there are documents relative to various pipeline and roadway agreements relative to oil and gas exploration. Based upon Mr. Peterson's representations, the same should affect the remainder of his property across the township road. However, I make no opinion in this regard in view of the fact that the actual documents do not specify precise locations.

5. Defects, liens, encumbrances, adverse claims or other matters, if any, which are not a matter of public record in the Clearfield County Courthouse.

6. Rights or claims of parties in possession of the Subject Premises or a portion thereof not shown by the public records in the Clearfield County Courthouse.

7. Any variation or discrepancy in location, acreage and/or dimensions, conflicts in boundary lines, encroachments, overlaps, easements not of record and any other objections which a survey made in accordance with Minimum Standard Detail Requirements for Land Title Surveys as adopted by the American Title Association and American Congress on Surveying and Mapping would disclose. I make no opinion as to the accurateness, correctness and location of any property lines or boundary lines of the Subject Premises; and have not made a visual inspection of the Subject Premises and will not certify as to what would appear upon such an inspection.

8. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records in the Clearfield County Courthouse.

9. Taxes, assessments, municipal liens and claims, and municipal authorities' liens and claims which are not shown as existing liens or claims by the public records in the Clearfield County Courthouse.

10. The provisions of unrecorded leases, unrecorded easements and unrecorded agreements, not a matter of public record in the Clearfield County Courthouse.

11. I make no opinion as to compliance with federal, state and local laws, ordinances, rules and regulations concerning zoning, subdivision and land use, and have no knowledge as to whether or not the Subject Premises has or has not been used for the disposal of hazardous waste.

12. Any current year (1993) county, township/borough/city and/or school district real estate taxes due and payable as of the date of this Letter or which may be a lien as to the Subject Premises.

13. I make no opinion as to the adequateness of the water supply or the adequateness or legality of sewage disposal facilities. Furthermore, I make no opinion as to any creeks, streams or runs that may otherwise or in any manner affect the Subject Premises.

14. I make no opinion as to ownership or title of coal, clay, fire clay, oil, gas or other minerals of whatsoever kind as they relate to the Subject Premises as well as the right to remove or mine the same. THIS DOCUMENT DOES NOT NECESSARILY ENLARGE OR INSURE THE TITLE TO THE COAL AND THE RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND, THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS LETTER.

Finally, I want to confirm that you do not want me to proceed with regard to any minerals, oil or gas search relative to the property. Accordingly, I am enclosing my final bill for services rendered which I trust you will find to be fair and reasonable and in line with my oral estimate.

It was a pleasure being of service to you. When you visit the area, please feel free to call. Of course, should you have continuing questions, please feel free to call at any time.

Very truly yours,

Michael P. Yeager

MPY/ljs
Enclosure