

Deal between

Jennie Coal Co

Kentucky River Coal
Corp.

Dated Sept 14, 1916

Colson Buff Dunes

WHEREAS, by deed dated September 14, 1916, recorded in Deed Book 33, page 332, Perry County Court Clerk's Office, the undersigned, Tennis Coal Company, conveyed to the undersigned, Kentucky River Coal Corporation, a corporation under the laws of the State of Virginia, certain land in fee, mineral and surface in said County, aggregating 15,140.19 acres, and by deeds of same date acreage in other Counties aggregating in the total 49,244.66 acres.

WHEREAS, there was conveyed by said deed a tract of land therein described as the Colson Duff tract containing 273.70 acres in fee, which said tract of land was conveyed by the said Colson Duff to the said Tennis Coal Company by deed dated the 1st. day of September, 1903, recorded in Deed Book No. 18, page 411, Perry County Court Clerk's Office; and,

WHEREAS, the total consideration paid for said number of acres, hereinbefore recited, was stock in said Kentucky River Coal Corporation of the par value of \$620,734 of which \$310,367 was six per cent cumulative preferred stock and \$310,367 was common stock; and,

WHEREAS, at the date of said conveyance all or a portion of said Colson Duff tract of land was in the actual possession of an adverse claimant, rendering said deed of conveyance from the said Tennis Coal Company to the said Kentucky River Coal Corporation void or voidable at the election of the said adverse claimant, by reason whereof the said Kentucky River Coal Corporation was or may not have been vested with present title to the said tract of land or portions thereof and thereby received no consideration for the amount of stock paid by it for said tract of land; and,

WHEREAS, the said Tennis Coal Company does not desire to keep the consideration it received for said tract of land under the circumstances without vesting in said Kentucky River Coal Corporation a title thereto;

BY W.S. Dudley President
KENTUCKY RIVER COAL CORPORATION,
BY J.W.M. Stewart Vice-President
TENNIS COAL COMPANY

ATTEST: W.D. Davis Secretary
ATTEST: J.W.M. Stewart Secretary

IN DUPLICATE.

with its corporation seal attached this 15th day of January, 1921.
name by W.S. Dudley, its President, attested by W.O. Davis, its Secretary,
the said Kentucky River Coal Corporation has heretofore subscribed its
J.W.M. Stewart, its Secretary, with its corporation seal attached, and
signed its name by G.W. Fleming, its Vice-President, attested by

IN WITNESS WHEREOF the said Tennis Coal Company has heretofore
tract upon which said conveyance was based.

River Coal Corporation or the consideration paid therefor, or the con-
or change the said deed from the Tennis Coal Company to the Kentucky

But this instrument is not in any other manner to alter, affect
Fifteen shares of the Preferred Stock, and

Fifteen shares of the Common Stock.
poration as follows:

tion certificates of capital stock of the said Kentucky River Coal Cor-
to deliver or have delivered to the said Kentucky River Coal Corpora-
of the deed in accordance herewith the said Tennis Coal Company agrees
said Tennis Coal Company in consideration thereof, and upon delivery
without covenants of warranty said Colson Duff tract of land to the
The said Kentucky River Coal Corporation agrees to reconvey

upon the following terms and conditions, to-wit:
and the consideration paid therefor be hereby mutually rescinded
euted, in so far as they affect the said Colson Duff tract of land,
Corporation and the contract between them upon which said deed was ex-
conveyance from the Tennis Coal Company to the said Kentucky River Coal
formed by the said respective parties, it is mutually agreed that said
mutual covenants and agreements herein contained to be kept and per-
NOW, THEREFORE, in consideration of the premises and of the

STATE OF *New York*
COUNTY OF *New York*

I, *Roland Kniffler*, a Notary Public in and for the County and State aforesaid, do certify that the foregoing instrument of date the 15th. day of January, 1921, between the Tennis Coal Company and the Kentucky River Coal Corpn., was this day produced before me in my said county by G. W. Fleming, personally known to me to be the ^{vice} President of the said Tennis Coal Company, who thereupon acknowledged the same before me to be his act and deed, and the act and deed of the said Tennis Coal Company, and same was attested by the Secretary of the said Tennis Coal Company, J.W.M.Stewart.

This *24th* day of ~~January~~ ^{February}, 1921.

My commission expires *March 30, 1922*

Roland Kniffler
NOTARY PUBLIC
Notary Public. *New York County No. 13*
certificate filed in
New York County No. 242
My Commission Expires
March 30, 1922

STATE OF KENTUCKY
COUNTY OF FAYETTE,

I, Margaret C. Parker, a Notary Public in and for the County and State aforesaid, do certify that the foregoing instrument, dated the 15th. day of January, 1921, between the Tennis Coal Company and the Kentucky River Coal Corporation, was this day produced to me in my said County by W.S.Dudley, personally known to me to be the President of the said Kentucky River Coal Corporation, who thereupon acknowledged the same before me to be the act and deed of the said Kentucky River Coal Corporation, and of himself as President thereof, and same was duly attested by the Secretary of the said Kentucky River Coal Corporation, W.O.Davis.

This *17th* day of January, 1921.

My commission expires, June 19th, 1924.

Margaret C. Parker
Notary Public, *Fayette Co., Ky.*