

Stephen L. Thompson  
West Virginia State Bar #3751  
Barth & Thompson  
202 Berkeley Street  
Charleston, WV 25302  
Telephone: (304) 342-7111  
Facsimile: (304) 342-6215  
*Counsel for Central Contracting, Inc.*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 12-12900 (SCC)  
(Jointly Administered)

**CENTRAL CONTRACTING, INC.'S NOTICE OF PERFECTION  
UNDER SECTION 546(b) OF THE BANKRUPTCY CODE**

PLEASE TAKE NOTICE that, pursuant to Section 546(b)(2) of the United States Bankruptcy Code, Central Contracting, Inc. ("Central Contracting") has recorded its Notice of Mechanic's Lien in accordance with the laws of the State of West Virginia for work performed by Central Contracting as follows:

Notice of Mechanic's Lien pursuant to West Virginia Code 38-2-1 *et. seq.*, to Catenary Coal Company, LLC for work performed in the amount of \$100,492.27. A copy of this Notice of Mechanic's Lien is attached as Exhibit 1.

The Notice of Mechanic's Lien was filed with the Clerk of the County Commission of Kanawha County, West Virginia, in Mechanic's Lien Book 61 at Page 99 on August 2, 2012.

Under West Virginia law, Central Contracting is required to commence suit within six months after filing the notice of its mechanic lien to maintain or continue the perfected status of its mechanic's lien. Pursuant to Section 546(b) of the Bankruptcy Code, Central Contracting

gives notice, in lieu of commencement of an action to maintain or continue perfection, of its mechanic lien interest in all of the property that is subject to the lien, within the time fixed by West Virginia law for the commencement of such an action.

Dated: December 14, 2012

By: /s/ Stephen L. Thompson  
Stephen L. Thompson  
WV State Bar No. 3751  
Barth & Thompson  
202 Berkeley Street  
Charleston, WV 25302  
Telephone: (304) 342-7111  
Facsimile: (304) 342-6215  
E-mail: [sthompson@barth-thompson.com](mailto:sthompson@barth-thompson.com)  
*Counsel for Central Contracting, Inc.*

MECHLN 61 99  
Recorded In Above Book and Page  
08/02/2012 03:58:13 PM  
Vera J. McCormick  
County Clerk  
Kanawha County, WV  
Deed Tax 0.00  
Recording Fee 19.00  
TOTAL 19.00

ACCEPTED FOR  
SERVICE OF PROCESS  
2012 AUG -3 AM 9:31  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**NOTICE OF MECHANIC'S LIEN**

TO: CATENARY COAL COMPANY, LLC, a Delaware Limited Liability Company, and SHONK LAND COMPANY, LLC, a West Virginia limited liability company

Notice is hereby given, in accordance with the laws of the State of West Virginia, that the undersigned Central Contracting, Inc., a West Virginia corporation, who was and is general contractor with Catenary Coal Company, LLC, a Delaware Limited Liability Company, for the furnishing of materials and doing of the work and labor, necessary to the completion of the replacement of structural beams and columns in the central plant of the Toms Fork Preparation Plant, claims a lien to secure the payment of the sum of \$100,492.27 upon your interest in and to the parcel of land described in that certain "Confirmatory Deed" dated as of the 31<sup>st</sup> day of December, 2000, by and between Shonk Land Company Limited Partnership, a West Virginia limited partnership, and Shonk Land Company, LLC, a West Virginia limited liability company, recorded in the office of the Clerk of the Kanawha County Commission in Deed Book 2516 at page 773, the said parcel being designated therein as account number 06172651, and being designated therein as map and parcel number 80 0001 0000 0000 in Cabin Creek District of Kanawha County, West Virginia, and described in said Deed as "2805A Surf & 4519.40/100A M/L Min Cabin CK C M5-14", and upon the buildings, structures and improvements thereon, including but not limited to the Toms Fork Preparation Plant. A copy of said Deed is attached hereto and made a part hereof. The unpaid account is shown upon the invoices attached hereto and made a part hereof, and the undersigned has not been paid therefor and claims and will claim a lien upon your interest in the said lot, tract or parcel of land, and upon the buildings, structures and improvements thereon, including but not limited to the Toms Fork Preparation Plant, to secure the payment of the said

sum.

Given under my hand this 2<sup>nd</sup> day of August, 2012.

CENTRAL CONTRACTING, INC., a West Virginia corporation

By *Timothy R. Aliff*  
Its Vice President

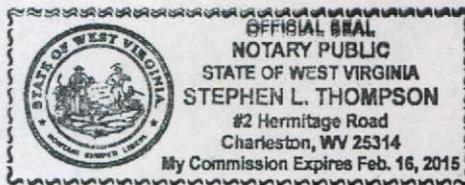
STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

Timothy R. Aliff, Vice President of Central Contracting, Inc., a West Virginia corporation, being first duly sworn, upon his oath says that the statements contained in the foregoing notice of mechanic's lien are true, as he verily believes.

Taken, subscribed and sworn to before me this 2nd day of August, 2012.

My commission expires FEBRUARY 16, 2015



*Stephen L. Thompson*  
Notary Public

SEAL :

This Instrument Prepared By:

Stephen L. Thompson, Esq.  
Barth & Thompson  
P. O. Box 129  
Charleston, WV 25321

DEED 2516 773  
Recorded In Above Book and Page  
01/02/2001 03:24:25 PM  
Alma Y. King  
County Clerk  
Kanawha County, WV  
Deed Tax 0.00  
Recording Fee 45.50  
TOTAL 45.50

THIS CONFIRMATORY DEED, Made and entered into as of this 31<sup>st</sup> day of December, 2000, by and between Shonk Land Company Limited Partnership, a West Virginia limited partnership ("Grantor"), and Shonk Land Company LLC, a West Virginia limited liability company ("Grantee");

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the Grantor to the Grantee and for other good and valuable considerations, receipt of all of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY unto the Grantee all of its right, title, and interest in and to any and all tracts, parcels and lots, and any interest therein and rights with respect thereto, together with all improvements thereon and easements and appurtenances thereunto belonging, situate in Kanawha County, West Virginia.

This conveyance is made subject to any and all easements, restrictions, reservations, covenants, conditions, and regulations set forth in prior deeds and all other matters of record, if any, relating to or affecting the title to the properties, interests or rights hereby conveyed. This conveyance is further made subject to the lien of real estate taxes for the tax year 2000, and for the tax year 2001, which last-mentioned taxes are not yet ascertainable, due or payable.

Subject to the aforesaid easements, restrictions, reservations, covenants, conditions, regulations and taxes, the Grantor hereby covenants that it will WARRANT GENERALLY title to the properties hereby conveyed and that the same are free and clear of all other liens and encumbrances.

Return to: Mark A. Ferguson  
Sprouse & Ferguson, PLLC  
230 Capitol Street, Suite 300  
Charleston, West Virginia 25301

DEED 2516 774

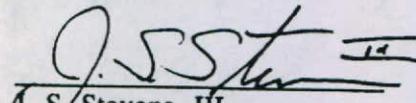
DECLARATION OF CONSIDERATION OR VALUE: The Grantor does hereby declare that the property hereby conveyed is exempt from payment of excise tax thereon for the reason that it is a conveyance made pursuant to the merger of a limited partnership into a limited liability company, as provided in W. Va. Code § 11-22-1.

THIS DEED WAS PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

IN WITNESS WHEREOF, Shonk Land Company Limited Partnership has caused its name to be hereunto signed by its duly authorized Managing General Partner.

SHONK LAND COMPANY  
LIMITED PARTNERSHIP,  
a West Virginia limited partnership

By:

  
J. S. Stevens, III,  
Managing General Partner

Prepared by:

Mark A. Ferguson  
SPOUSE & FERGUSON, PLLC  
230 Capitol Street, Suite 300  
Charleston, West Virginia 25301

DEED 2516 775

STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, to-wit:

The foregoing deed was acknowledged before me this 26<sup>th</sup> day of December, 2000, by  
J. S. Stevens, III, Managing General Partner of Shonk Land Company Limited Partnership, a  
West Virginia limited partnership, on behalf of said limited partnership.

Given under my hand this 26<sup>th</sup> day of December, 2000.

My commission expires: Dec. 11, 2001.



Mark A. Ferguson  
Notary Public

DEED 2516 775 A

**SHONK SCHEDULE OF TAX TICKETS  
 KANAWHA COUNTY**

<u>Tax District</u>	<u>Account No.</u>	<u>Map/Parcel</u>	<u>Description</u>
Cabin Creek	06136807	43A 0035 000 0000	LT 38 Young ADN Slack Br
Cabin Creek	06139145	NOMP 0613 9145 0000	LT 80X300 Cabin Creek
Cabin Creek	06144004	81A 0002 0000 0000	PT LT 153 Sec 1 Holly Leewood M H Site
Cabin Creek	06170662	71A 0107 0000 0000	LT 40X125 Sandy BTM Eskdale
Cabin Creek	06171643	50A 0036 0000 0000	22/100A M/L Cabin Creek Ronda
Cabin Creek	06155377	50B 0013 0000 0000	PT LT 19 Miami 40X70
Cabin Creek	06127504	50B 0014 0000 0000	PT LT 19 Propogia ADN 40X106 Miami
Cabin Creek	06150050	64A 0059 0000 0000	LT 35 Oailey ADN Ohley
Cabin Creel	06182356	71A 0002 0000 0000	1/2A 1/3 of LT 3 of LT B Keeney Estate
Cabin Creek	06172553	43 0005 0000 0000	19-78/100A Fee Cabin Creek Slack Tract Coal Map 3-11
Cabin Creek	06172562	43 0007 0000 0000	91-1/10A Surf M/L PT PAR 3 156-53/100A MIN Slack Tract Cabin Creek C/M 3-9
Cabin Creek	06172697	80 0001 0001 0000	LTS 1-3 Red Warrior S-3

DEED 2516 775 B

Cabin Creek	06172704	80 0006 0002 0000	LTS 2 Acme Traux Traer LND
Cabin Creek	06172713	80 0006 0003 0000	LT 3 Acme Traux Traer LND
Cabin Creek	06172508	59A 0030 0000 0000	LT 107 Shonk Land Co. ADN Dawes
Cabin Creek	06172740	59A 0031 0000 0000	LT 108 Shonk Land Co. Dawes
Cabin Creek	06172517	59A 0035 0000 0000	PT LT 199 Shonk Land Co. Dawes
Cabin Creek	06172759	59A 0036 0000 0000	PT LT 110 Shonk Land Co. Dawes
Cabin Creek	07283753	76A 0034 0000 0000	LT 50-A Leewood Sub
Cabin Creek	06172544	9999 0617 2544 0000	1/2A Min Int Miami
Cabin Creek	06172606	9999 0617 2606 0000	24-1/2A Min Int Miami LT Cabin Creek
Cabin Creek	06172615	9999 0617 2615 0000	4A Min Int Crawford Tract Cabin Creek
Cabin Creek	06172624	9999 0617 2624 0000	24-87/100A Min Int Gatewood Tract
Cabin Creek	06172633	9999 0617 2633 0000	LT 17172 SQ FT Cabin Creek Min Int
Cabin Creek	06172722	50B 0137 0000 0000	LTS 15-16-17-18-19- 20-21-22 Miami
Cabin Creek	06163821	87 0001 0000 0000	PT PAR 5-15 58X98 Acme House #2003

DEED 2516 775 C

Cabin Creek	06172642	65 0003 0000 0000	99A Fee Mo Coal Fork & Cabin Creek C?M 5-11
Cabin Creek	06172679	70 0002 0000 0000	374A Fee Cabin CK 10 MI FK Cherokee Less LTS 46 & 50 Coal Map 5-8 4 Imps
Cabin Creek	06172526	81 0001 0000 0000	306A Fee 10 Mile FK Cabin CK Coal Map 5- 15
Cabin Creek	06172651	80 0001 0000 0000	2805A Surf & 4519. 40/100A M/L Min Cabin CK C M5-14
Cabin Creek	07447220	76 0002 0000 0000	96-9/10A M/L 10 MI FK Mobile Home
Cabin Creek	06136601	NOMP 0613 6601 0000	3/8A Giles Cabin Creek
Cabin Creek	06176513	59B 0003 0000 0000	LT 2 BK D Fairfield Dawes
Cabin Creek	06174533	50A 0043 0000 0000	LT 150X230 Sharon
Cabin Creek	06172535	9999 0617 2535 0000	Oil & Gas Wells
Cabin Creek	06172571	9999 0617 2571 0000	103A Min Int Watt Tract Cabin Creek
Cabin Creek	06172580	9999 0617 2580 0000	76-1/4A Min Int Douglas Tract
Cabin Creek	06172599	9999 0617 2599 0000	67A Min Int Tract Cabin Creek Stone
Cabin Creek	06172731	58 0001 0000 0000	8633-42/100A M/L Cabin CK Less 4- 83/100A Surf Lease 35

			Imps 14-112 Bldg Val L P C Co C/M
Cabin Creek	<del>05</del> 6068460	9999 0606 8460 0000	Chattel Real Property
Cabin Creek	06138146	9999 0613 8146 0000	O & G Int Dry Branch 3-77/100A
Clendenin	<del>05</del> 6080070	9999 0608 0070 0000	Chattel Real Property
Chas E	01026491-		00 OTHRPP 100197

This instrument was presented to the Clerk of the County  
Commission of Kanawha County, West Virginia, on  
and the same is admitted to record.

Tests: Alma J. King JAN 02 2001  
Clerk  
Kanawha County Commission

COUNTY 20

PARCEL ID: 03-80-0001-0000-0000

TAX YEAR: 2013

ALTERNATE ID: 06172651

VERSION:

CHART

ROLL TYPE: RP\_WV

TAXDIST: 03

CUR:

STUB

User  
Calc

on

DEACTIVATE:

CABIN CREEK

SHONK LAND CO LLC

194 SUMMERS STREET  
CHARLESTON WV 25301

1147000

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0

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1147000

688200

0

0

688200

0

688200

2805A SURF & 4519.40/100A

M/L MIN CABIN CK C M5-14

2516

0773

3

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2

1.14

3

2.28

4

2.28

STATE OF WVA	01	68.82
KAN COUNTY	572	3,936.50
SCHOOL	776	5,340.43
BOE EXCESS LEV	6784	4,668.74
		15,690.94

DE 0300300803

COYOTE COAL COMPANY LLC



CENTRAL CONTRACTING, INC.

P.O. Box 1485  
St. Albans, WV 25177  
(304) 722-4939  
Fax (304) 722-2699

May 9, 2012

Catenary Coal Company, LLC  
P.O. Box 66823  
St. Louis, MO 63166-6823

Invoice Number: 12-04-02

PO Number: 612405-2305

Invoice For:

Labor, material and tools to replace structural steel in the Toms Fork Plant during the month of April, 2012.

**Total This Invoice - \$48,122.82**



CENTRAL CONTRACTING, INC.

P.O. Box 1485  
St. Albans, WV 25177  
(304) 722-4939  
Fax (304) 722-2699

June 12, 2012

Catenary Coal Company, LLC  
P.O. Box 66823  
St. Louis, MO 63166-6823

Invoice Number: 12-05-02

PO Number: 616387-2305

Invoice For:

Labor, material and equipment to replace structural steel in the Toms Fork Plant of  
Catenary Coal during the month of May, 2012.

**Total This Invoice - \$52,369.45**