



CHICAGO TITLE INSURANCE COMPANY

ALTA COMMITMENT

COMMITMENT NO. 28-05629-H-1

SCHEDULE A

Address Reference:

3487 N. State Road 45
Solsberry, IN 47459

1. Commitment Date: **May 3, 2024 at 12:00 AM**

2. Policy (or policies) to be issued:

a. ALTA Owners Policy (07/01/21)

Policy Amount
To Be Determined

For one-to-four family residential properties and lots in recorded subdivisions and titled in individuals an ALTA 2008 policy will be issued. For all other transactions an ALTA 2006 policy will be issued.

Proposed Insured: A Legally Qualified Entity Yet To Be Determined

b.

Policy Amount
\$

Proposed Insured:

3. The estate or interest in the Land described or referred to in this Commitment is *Fee Simple*.

4. Title to the *Fee Simple* interest in the land described or referred to in this Commitment is, at the Commitment Date, vested in:

Kevin A. Harper, of legal age

5. The land referred to in this Commitment, situated in the County of **Greene**, State of Indiana, is described as follows:

A part of the Southeast quarter of the Northwest quarter and a part of the Northeast quarter of the Southwest quarter of Section 1, Township 7 North, Range 3 West, Greene County, Indiana, being more particularly described as follows:

BEGINNING at a found 5/8 inch rebar marking the Southwest corner of the North half of the Southeast quarter of the Northwest quarter of said Section 1; thence along the South line of said North half North 88 degrees 55

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minutes 49 seconds East for a distance of 643.86 feet to a set 5/8 inch rebar stamped DECKARD; thence leaving said South line South 57 degrees 28 minutes 29 seconds East for a distance of 758.98 feet to a set 5/8 inch rebar stamped DECKARD on the West right of way line of State Road #45; thence with said West right of way line for a distance of 417.57 feet along a 683.00 foot radius non-tangent curve to the right whose chord bears South 37 degrees 05 minutes 41 seconds West for a distance of 411.09 feet to a found 5/8 inch rebar stamped UTT; thence leaving said West right of way line North 29 degrees 42 minutes 36 seconds West for a distance of 139.04 feet to a found 5/8 inch rebar stamped UTT; thence South 60 degrees 17 minutes 24 seconds West for a distance of 99.43 feet to a set 5/8 inch rebar stamped DECKARD; thence North 29 degrees 42 minutes 36 seconds West for a distance of 161.87 feet to a set 5/8 inch rebar stamped DECKARD; thence South 60 degrees 17 minutes 24 seconds West for a distance of 352.30 feet to a set 5/8 inch rebar stamped DECKARD; thence North 32 degrees 43 minutes 13 seconds West for a distance of 429.52 feet to a found 1/2 inch rebar, thence South 88 degrees 55 minutes 49 seconds West for a distance of 260.00 feet to a found 1/2 inch rebar on the West line of the South half of the Southeast quarter of the Northwest quarter of said Section 1; thence with said West line North 00 degrees 22 minutes 11 seconds West for a distance of 330.00 feet to the POINT OF BEGINNING, containing 12.89 acres, more or less.

ALSO:

A part of the Southeast quarter of the Northwest quarter and a part of the Northeast quarter of the Southwest quarter of Section 1, Township 7 North, Range 3 West, Greene County, Indiana, being more particularly described as follows:

COMMENCING at a found 5/8 inch rebar marking the Southwest corner of the North half of the Southeast quarter of the Northwest quarter of said Section 1; thence along the West line of the South half of the Southeast quarter of the Northwest quarter of said Section 1 South 00 degrees 22 minutes 11 seconds East for a distance of 330.00 feet to a found 1/2 inch rebar; thence leaving said West line North 88 degrees 55 minutes 49 seconds East for a distance of 260.00 feet to a found 1/2 inch rebar, thence South 32 degrees 43 minutes 13 seconds East for a distance of 733.90 feet to a found 5/8 inch rebar stamped UTT on the West right of way line of State Road #45, passing through a set 5/8 inch rebar stamped DECKARD at 429.52 feet, thence with said West right of way line North 60 degrees 20 minutes 10 seconds East for a distance of 310.71 feet to a set 5/8 inch rebar stamped DECKARD marking the POINT OF BEGINNING, thence continuing with said West right of way line the following two courses and distances: 1) North 60 degrees 20 minutes 10 seconds East for a distance of 56.88 feet to a point of curve to the left; 2) thence a distance of 68.27 feet along a 683.00 foot radius tangent curve to the left whose chord bears North 57 degrees 28 minutes 21 seconds East for a distance of 68.24 feet to a found 5/8 inch rebar stamped UTT; thence leaving said West right of way line North 29 degrees 42 minutes 36 seconds West for a distance of 139.04 feet to a found 5/8 inch rebar stamped UTT; thence South 60 degrees 17 minutes 24 seconds West for a distance of 133.00 feet to a set 5/8 inch rebar stamped DECKARD; thence South 32 degrees 54 minutes 45 seconds East for a distance of 142.57 feet to the POINT OF BEGINNING, containing 0.42 acres, more or less.

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Authorized Signatory

John Bethell
President
John Bethell Title Company Inc.

End of Schedule A
Chicago Title Insurance Company

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SCHEDULE B - SECTION I REQUIREMENTS

COMMITMENT NO. 28-05629-H-1

The following requirements must be met:

- A. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
- B. Pay the agreed amounts for the interest in the land and/or mortgage to be insured.
- C. Pay us the premiums, fees and charges for the policy.
- D. Documents satisfactory to us creating the interest in the land and/or mortgage to be insured must be signed, delivered and recorded.

NOTICE OF REQUIREMENT - WIRE TRANSFER OF CLOSING FUNDS

Effective July 1, 2009 Indiana law prohibits disbursement of closings unless all necessary funds required are wire transferred to the settlement agent's escrow account. (see I.C. 27-7-3.7) The law applies to all parties including lenders, buyers, sellers and real estate professionals. If the total of funds required from any single party to the transaction is less than \$10,000 a cashiers or certified check may be substituted. Corporate checks from licensed real estate brokerage companies specifically for earnest money and less than \$10,000 are also acceptable.

- 1. Execution and recordation of a Warranty Deed from Kevin A. Harper, of legal age, to A Legally Qualified Entity Yet To Be Determined.
 - 2. Vendor's Affidavit in satisfactory form executed by Kevin A. Harper, of legal age, should be furnished us at closing.
 - 3. The following is provided as an accommodation, is for information purposes only and is not a part of the commitment or policy: 24-Month Chain of Title:
Kevin A. Harper: August 25, 2022 to present;
Kenneth Alan Harper: January 10, 2011 to August 25, 2022.
- E. Payment of \$5 Title Insurance Enforcement Fund fee required by IC 27-7-3 for each policy issued in connection with the transaction.

**End of Schedule B - I
Chicago Title Insurance Company**

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SCHEDULE B - SECTION II EXCEPTIONS

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The policy will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Taxes or special assessments which are not shown as existing liens by the Public Records.
2. Any facts, rights, interests or claims which are not shown by the public record but which could be ascertained by an accurate survey of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances or claims thereof, which are not shown by the public record.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records
5. Any lien or right to lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public record.
6. Defects, liens, encumbrances, adverse claims, or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage covered by this Commitment.
7. Any liens, encumbrances, requirements and other matters shown in Schedule B – I and not released or otherwise disposed of to our satisfaction.
8. Minerals or mineral rights or any other subsurface substances (including, without limitation, oil, gas and coal), and all rights incident thereto, now or previously leased, granted, excepted or reserved.
9. Rights of Way for drainage ditches, tiles, feeders and laterals, if any.
10. Rights of the Public and the State of Indiana and to that part of the premises taken or used for alley or road purposes, including utility rights of way.
11. Matters shown on a survey by Lee Utt, RLS# S0089, dated December 15, 1997, and recorded January 5, 1998 In Book 99, page 828.
12. Matters shown on a survey by Matters shown on a survey by Eric Deckard, RLS# LS#29900012, dated July 22, 2009, and recorded September 18, 2009 as Instrument No. 200900004100.
13. Matters shown on a survey by Eric Deckard, RLS# LS#29900012, dated November 19, 2009, as disclosed in Quit Claim Deed recorded January 10, 2011, as Instrument No. 201100000132.
14. Any adverse claim of title to that portion, if any, of the land described in Schedule A that lies below the ordinary low water mark of Harper Lake.
15. Any adverse claim based on the assertion that some portion of the land described in Schedule A was created by artificial means.

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SCHEDULE B - SECTION II
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16. Such rights and easements for navigation , commerce or recreation which may exist over that portion of said land described in Schedule A lying beneath the waler of Harper Lake.
17. Rights of upper and lower riparian (or littoral) owners with respect to Harper Lake.
18. Taxes for the year 2023 due and payable 2024 a lien now PAYABLE.
Taxes are assessed in the name of owner as shown in Schedule A, Paragraph 4.
Taxing Authority: Center Township.
Duplicate Number: 28-10-01-000-035.004-004. **(PT W 1/2 SEC 1-7-3 .42 AC)**
Assessed Value - Land: \$13,600;
Improvements: \$43,800;
Exemptions: \$0, Credits: \$0
May installment in the amount of \$574.00 is UNPAID;
November Installment in the amount of \$574.00 is UNPAID;
Prior Year Delinquencies: \$0.00 . Penalties and/or Adjustments: \$0.00
SOLID WASTE FEES:
May Installment in the amount of \$6.00 is UNPAID. November Installment in the amount of \$6.00 is UNPAID.
Total amount due to pay all outstanding taxes, delinquencies and penalties \$1,160.00.
19. Taxes for the year 2023 due and payable 2024 a lien now PAYABLE.
Taxes are assessed in the name of owner as shown in Schedule A, Paragraph 4.
Taxing Authority: Center Township.
Duplicate Number: 28-10-01-000-035.002-004. **(PT SE NW SEC 1-7-3 12.89 AC)**
Assessed Value - Land: \$5,000;
Improvements: \$2,200;
Exemptions: \$0, Credits: \$0
May installment in the amount of \$75.90 is UNPAID;
November Installment in the amount of \$75.90 is UNPAID;
Prior Year Delinquencies: \$0.00 . Penalties and/or Adjustments: \$0.00
SOLID WASTE FEES:
May Installment in the amount of \$6.00 is UNPAID. November Installment in the amount of \$6.00 is UNPAID.
Total amount due to pay all outstanding taxes, delinquencies and penalties \$163.80.
20. Taxes for the year 2024 payable 2025 and thereafter, a lien but not yet due or payable.

NOTE: Indiana state law, effective July 1, 2023, prohibits ownership of certain real property by certain foreign parties. This law can be found at Indiana Code § 1-1-16-1, et seq. ("the Act"). Any loss or damage resulting from a violation of the Act is excluded under the terms of the Policy.

The company does not insure that the land described in paragraph 4 of schedule A accurately comprises any acreage or area referred to therein.

This commitment is furnished by the company or its policy issuing agent solely for the issuance of a policy or policies of title insurance of the company. This commitment is not an abstract or an opinion of title. Liability under this commitment is defined by and limited to the terms and conditions of this commitment and the title insurance policy to be issued. This commitment is not binding on the company until such time as the proposed insured and

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SCHEDULE B - SECTION II
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policy amounts are specifically identified in Schedule A, Paragraph 2. Persons and entities not listed as proposed insured's are not entitled to rely upon this commitment for any purpose.

Note: Unless otherwise shown above, there are no recorded judgments against any parties having an interest in the land described in Schedule A that have priority over the interests to be insured.

Note: Exceptions 1 through 4, above, will be deleted for any loan policy committed to be issued. All applicable ALTA Endorsement forms including 4, 5, 6, 6.2, 8.1 and 9 will be issued with the loan policy.

End of Schedule B - II
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