

# Heritage Title Services

Agent For

## Old Republic National Title Insurance Company

### COMMITMENT FOR TITLE INSURANCE

#### SCHEDULE A

1. Effective Date: **February 08, 2010 at 08:00 am**  
Issue Date: **February 17, 2010 at 5:48 pm**

2. Policy or Policies to be issued: **POLICY AMOUNT**

(a) ALTA OWNER'S POLICY (6-17-06)

Proposed Insured:

(b) ALTA LOAN POLICY (6-17-06)

Proposed Insured:

Proposed Borrower:

3. **Fee Simple** interest in the land described in this Commitment is owned, at the Commitment Date, by **Branch Banking and Trust Company**

4. The land referred to in the Commitment is described as follows:

**See Exhibit "A" attached hereto and made a part hereof**

Countersigned  
**Heritage Title Services**  
198 East Court Street, Suite 13  
Lawrenceburg, KY 40342



By \_\_\_\_\_  
Authorized Signatory

**Old Republic National Title Insurance Company**  
**COMMITMENT FOR TITLE INSURANCE**

**EXHIBIT "A"**

**Property Address: 308 Congress Parkway, Athens, TN 37303**  
**Tax ID: Map 47 E-A, Parcel 25.00**

Located in the 1st Civil District of McMinn County, Tennessee and in the City of Athens Tennessee, to-wit:

Lying and being situated in the 1st Civil District of McMinn Co., Tennessee, and within the Corporate Limits of the City of Athens, Tennessee, the same being PART OF FLOT FORTY-FIVE (45), RE-PLAT OF PART OF THE DUGGAN ADDITION, as shown by plat recorded in Plat Cabinet "A", Side 198, in the Register's Office of McMinn Co., Tennessee, to which reference is here made and being more particularly described as follows:

Beginning at an iron pin in the southernmost corner of the within described property and in the northwest line of Congress Parkway at a common corner with Lot 46, Duggan Addition (now for formerly of E.B. Bohannon, Jr (DB10-0/436); said point of beginning being North 39 deg. East 283.50 feet measured along the northwest line of Congress Parkway, North 39 deg. 00 min. East 200 feet to an iron pin; thence North 50 deg. 54 min. West 340.17 feet along a common dividing line with Lot 44, Duggan Addition (now or formerly of Minge (DB11-Q/173) to an iron pin; thence south 44 deg. 03 min. West 100.54 feet along a common dividing line of Lot 45-A, Duggan Additional (now or formerly of Cardin DB10-X/1) to an iron pin; thence South 44 deg. 03 min. West 100.06 feet along a common dividing line with lot 45-B, Duggan Additional (now for formerly of Lane DB10-V/328) to an iron pin; thence along the common dividing line with lot 46, Duggan Addition, South 50 deg. 52 min. East 357.80 feet to the iron pin at the point of beginning, according to survey of Wm D McKenzie, TN RLS 720, McKenzie Surveying Co., Decatur, TN. bearding date of Jan 5. 1995, project #B10595.

Less and except all that property conveyed away to Roberta Baker in DB 10-R, Page 432; to Taylor in DB 10-U, page 223; to Lane in DB 10-V, Page 328; to Cardin in DB10-X, Page 1 and to Minge in DB 11-Q, Page 173, all in the Register's Office of Bradley Co., Tennessee.

Subject to local Health Authority approval for construction of house or other structure.

Subject to right-of-way and easement from Nell Duggan to Plantation Pipeline Company recorded in Misc. Book 3, Page 29 and Misc. Book 6, Page 335, Register's Office of McMinn County, Tennessee.

Subject to permanent easement and right-of-way to United States of America as recorded in Misc Book 3, Page 385, and to the transmission line easement for Watts Bar-Alcoa Transmission Line in Misc. Book 10, Page 59, Register's Office for McMinn County, Tennessee.

Subject to easement to Board of Public Utilities in Misc Book 3, Page 448 in the Register's Office of McMinn County, Tennessee.

Subject to a 20 feet sewer easement to the City of Athens as recorded in Misc. Book 6, Page 322, in the Register's Office of McMinn County, Tennessee.

Being the same property conveyed to Branch Banking and Trust Company by Substitutue Trustee's Deed Book 180, Page 468, McMinn County, Tennessee.

**SCHEDULE B - SECTION I  
REQUIREMENTS**

Effective Date: **February 08, 2010, 08:00am**

The following requirements must be met:

1. Pay the agreed amounts for the interest in the land and/or according to the mortgage to be insured.
2. Pay us the premium, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:
  - a. **A properly executed Special Warranty Deed from Branch Banking and Trust Company, to , conveying the premises described in Schedule A hereof fee simple, free and unencumbered.**
  - b. **A properly executed mortgage/deed of trust from , to , encumbering the premises described in Schedule A, and to secure the payment of a note in the sum of .**
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
5. **Note: All necessary endorsements will be issued at final policy.**
6. **Any lien, or claim of lien, for services, labor or materials arising by reason of any work of improvement now in progress or recently completed, as disclosed by an inspection. (Requirement may be satisfied with Owner Affidavit)**
7. **Pay all taxes, charges, assessments, levied and assessed against subject property, which are due and payable. (Requirement may be satisfied with Owner Affidavit)**
8. **Provide the Operating Agreement or Corporate Resolution for \_\_\_\_\_, LLC, a Tennessee limited liability company, and verify authority to execute the proposed deed and/or mortgage and that they are in good standing with the State of Tennessee.**
9. **The 2008 County Taxes are DELINQUENT for Tax/Parcel ID # Map 47 E-A, Parcel 25.00 in the amount of \$2,587.00, good through 2/26/2010.**
10. **The 2008 City Taxes are DELINQUENT for Tax/Parcel ID # Map 47 E-A, Parcel 25.00 in the amount of \$2,187.72, good through 2/28/2010.**
11. **The 2009 McMinn County taxes are DUE on 2/26/2010 in the amount of \$2,587.00 for tax/parcel ID # Map 47 E-A, Parcel 25.00.**
12. **The 2009 City of Athens taxes are DUE on 2/26/2010 in the amount of \$1,854.00 for tax/parcel ID #**

**Map 47 E-A, Parcel 25.00.**

- 13. The 2009 County Personal Taxes are DUE on 2/26/2010 in the amount of \$121.00 for tax/parcel ID # Map 47 E-A, Parcel 25.00P. Name is Optimum Staffing**

**City Tax Collector: , , , ()**

**County Tax Collector: , , , ()**

**SCHEDULE B - SECTION II  
EXCEPTIONS**

Effective Date: **February 08, 2010, 08:00am**

- I. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:
1. 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 mortgage thereon covered by this Commitment.
  2. Rights or claims of parties in possession and easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the land.
  3. Any state of facts as would be disclosed by an accurate survey and inspection of the premises.
  4. 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. NOTE: This exception will be deleted upon the execution of an Owner's Affidavit, acceptable to the Company.
  5. Taxes or special assessments which are not shown as existing liens by the public records. NOTE: This exception will be deleted upon the execution of an Owner's Affidavit, acceptable to the Company.
  6. Title to, and easements in, any portion of the land lying within any highways, roads, streets, or other ways.
  7. Heritage Title Services and its underwriter make no representation nor guarantee as to the sufficiency of the acreage set forth in the survey and/or the legal description provided to them, and the parties agree, herein, to indemnify and hold Heritage Title and its' underwriter harmless against any and all future claims involving acreage disputes.
  8. The 2010 County and all subsequent County Taxes are not yet due or payable.
  9. Subject to local Health Authority approval for construction of house or other structure.
  10. Subject to right-of-way and easement from Nell Duggan to Plantation Pipeline Company recorded in Misc. Book 3, Page 29 and Misc. Book 6, Page 335, Register's Office for McMinn County, Tennessee.
  11. Subject to permanent easement and right-of-way to United States of America as recorded in Misc Book 3, Page 385, and to the transmission line easement for Watts Bar-Alcoa Transmission Line in Misc. Book 10, Page 59, Register's Office for McMinn County, Tennessee.
  12. Subject to easement to Board of Public Utilities in Misc Book 3, Page 448 in the Register's Office of McMinn County, Tennessee.

13. Subject to a 20 feet sewer easement to the City of Athens as recorded in Misc. Book 6, Page 322, in the Register's Office of McMinn County, Tennessee.

NOTE: Any additional recorded loan documents or documents affecting title will also be shown as exceptions in the final policy.