



**LAWYERS TITLE INSURANCE CORPORATION
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

File No. PRO-08-398W

REVISION A

1. Effective Date:

2. Policy or policies to be issued:

Amount To Be Determined

- (a) ALTA Owner's Policy: (6-17-06)
- Advantage Residential Owner's Policy
- Advantage Express Residential Owner's Policy

Proposed Insured: To Be Determined

- (b) ALTA Loan Policy: (6-17-06)
- ALTA Short Form Residential Loan Policy: (6-17-06)
- Advantage Residential Loan Policy
- Advantage Express Loan Policy

Proposed Insured:

- (c) Other

Proposed Insured:

3. Title to the Fee Simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

Foxcross Farms, LLC

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

See Schedule A attached hereto and made a part hereof.

Countersigned:

**PROFESSIONAL TITLE ASSOCIATES
3130 CHAPARRAL DR., STE. B-100
ROANOKE, VA 24018**

Authorized Officer or Agent

LAWYERS TITLE INSURANCE CORPORATION
SCHEDULE B - SECTION 1
Requirements

File No. PRO-08-398W

The following are the requirements to be complied with:

Item(a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item(b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. Duly authorized General Warranty Deed from Foxcross Farms, LLC, a West Virginia limited liability company, vesting fee simple title in To Be Determined.

NOTE: We must be furnished a copy of (1) the Articles of Organization, (2) written Operating Agreement and all amendments thereto, (3) current membership roster, and (4) a Certificate of Existence from the Secretary of State Unless the deed is executed by all the members, we must also be furnished evidence satisfactory to the Company that all necessary consents, authorizations, resolutions, notices and actions relating to the sale and the execution and delivery of the deed/deed of trust as required under applicable law and governing documents have been conducted, given or properly waived.

2. PROPRIETARY-Not available for public viewing.
3. Plat of survey referenced under Schedule A must be recorded with required instrument(s) and this company must be furnished with the recording information for same.
4. Receipt of executed NOTICE OF AVAILABILITY OF OWNER'S TITLE INSURANCE-REDUCED TITLE PREMIUM NOTICE.
5. Receipt of satisfactory executed "Owners (sellers) Affidavit as to Mechanics' Liens and Possession.
6. Receipt of satisfactory executed Affidavit of Non-Production regarding Oil and Gas Lease dated January 31, 1969, recorded in Oil and Gas Lease Book 17, page 449.

Note: This Company may take other requirements and/or exceptions.

Commitment – Schedule B Section 1

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

LAWYERS TITLE INSURANCE CORPORATION
SCHEDULE B – SECTION 2
Exceptions

File No. PRO-08-398W

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

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 thereon covered by this Commitment.

1. Taxes for the year 2008 and subsequent years.
2. Easement granted Virginia Electric Power Company by instrument dated November 4, 1980, recorded in Deed Book 339, Page 712.
3. Easement granted Virginia Electric Power Company by instrument dated June 2, 1971, recorded in Deed Book 265, Page 393.
4. Easement granted Virginia Electric Power Company by instrument dated April 3, 1978, recorded in Deed Book 329, Page 249.
5. Easement granted Virginia Electric Power Company by instrument dated September 3, 1947, recorded in Deed Book 162, Page 281.
6. Easement granted Virginia Electric Power Company by instrument dated September 11, 1945, recorded in Deed Book 151, Page 351.
7. Easement granted Virginia Electric Power Company by instrument dated March 8, 1948, recorded in Deed Book 163, Page 467.
8. Easement granted Chesapeake and Potomac Telephone Company by instrument dated February 11, 1955, recorded in Deed Book 192, Page 91.
9. Easement granted Virginia Electric Power Company by instrument dated November 25, 1960, recorded in Deed Book 212, Page 329.
10. Easement granted Virginia Electric Power Company by instrument dated November 19, 1952, recorded in Deed Book 184, Page 444.
11. Easement granted Virginia Electric Power Company by instrument dated June 24, 1948, recorded in Deed Book 164, Page 503.
12. Reservation of undivided one-half (1/2) interest in the oil and gas rights and income produced therefrom as reserved unto Gloria Feamster Morris for the remainder of her natural life, by deed from Mabel H. Feamster, et al, to Kenneth A. Clark and Rubelle V. Clark, dated January 20, 1969, recorded in Deed Book 248, page 434. NOTE: As to Lot 24 only.
13. Reservation of undivided one-third (1/3) interest in the minerals and mineral rights reserved by the heirs of A. T. Feamster, Sr., deceased, in deed from Betty Feamster Lewis, et al, to Clyde N. Feamster, dated January 14, 1967, recorded in Deed Book 237, page 248. NOTE: As to Lot 24 only.

Commitment – Schedule B Section 2

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

LAWYERS TITLE INSURANCE CORPORATION
SCHEDULE B – SECTION 2
Exceptions - (continued)

14. Terms and conditions of Boundary Line Agreement dated August 18, 1998, between Buena Vista, LLC and Paul K. Moran and Ann C. Moran, recorded in Deed Book 452, page 177. NOTE: As to Lots 7, 8, 11, 12 and 24 only.
15. Terms, conditions, reservations and exceptions as set out in deed dated October 15, 1985, recorded in Deed Book 371, page 618. NOTE: As to Lot 24 only.
16. Reservation of public utility easement ___ feet in width centered of each side property line, ___ feet along the rear lot line and ___ feet along the front lot line in the right of way as set out in the recorded plan of subdivision made by Rickford Walton, PS, dated _____.
17. Title to that portion of the insured premises lying within the bounds of the public road(s) as shown on the recorded plan of subdivision.
18. Rights of others in and to the use of those portions of the insured premises lying within the bounds of the right of way for ingress and egress and public utilities as shown on the recorded plan of subdivision.
19. Reservation of right to use spring located upon Lot 13 for the benefit of Lot 16 with the right to maintain the pipeline over Lot 13 and Lot 17.
20. Terms and conditions of Road Maintenance Agreement dated _____, recorded in Deed Book _____, page _____. NOTE: As to Tracts 8 through 23.
21. Right of way for ingress and egress over Lot 2 for the benefit of Lot 1 as shown on Subdivision Plan dated _____, made by Rickford Walton, Professional Surveyor.
22. Rights of others in and to the use and enjoyment of the appurtenant easement set out under Schedule A hereof.
23. Rights of others thereto entitled in and to the continued uninterrupted flow of the branches, creeks and springs.

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

Commitment – Schedule B Section 2-continued

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

LAWYERS TITLE INSURANCE CORPORATION
Schedule A
Legal Description

File No. PRO-08-398W

Located in the County of Greenbrier, State of West Virginia:

Lot 1, containing 52.14 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH the right of ingress and egress over Lot 2 as shown on the above mentioned Subdivision Plan.

Lot 2, containing 52.88 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

Lot 3, containing 52.72 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

Lot 4, containing 57.92 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

Lot 5, containing 77.73 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

Lot 6, containing 57.36 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

Lot 7, containing 68.27 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

Lot 8, containing 77.51 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 9, containing 62.68 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Commitment – Schedule A

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

LAWYERS TITLE INSURANCE CORPORATION

EXHIBIT A

Legal Description – (continued)

Lot 10, containing 74.84 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 11, containing 63.72 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 12, containing 93.07 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 13, containing 126.61 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 14, containing 65.60 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 15, containing 55.75 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 16, containing 59.57 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

FURTHER TOGETHER WITH the right to use water from the spring located upon Lot 13 and the right to operate, construct and maintain a water pipeline over Lot 13 and Lot 17 as set out in Deed from Fox Cross Farm, LLC to _____, recorded in Deed Book _____, page _____, in the aforesaid Clerk's Office.

LAWYERS TITLE INSURANCE CORPORATION
EXHIBIT A
Legal Description – (continued)

Lot 17, containing 88.68 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 18, containing 67.96 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 19, containing 64.27 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 20, containing 64.88 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 21, containing 122.05 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 22, containing 122.23 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 23, containing 119.60 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.

TOGETHER WITH and subject to the rights of others in and to the use of the right of way for ingress and egress with public utility easement 40 feet in width as shown on the above described recorded plan of subdivision.

Lot 24, containing 144.36 acres, more or less, as shown on Subdivision Plan for Foxcross Farms, LLC, dated _____, made by Rickford Walton, Professional Surveyor, recorded in the Clerk's Office of the County Commission for the County of Greenbrier, West Virginia.