



LAWYERS TITLE INSURANCE CORPORATION  
COMMITMENT FOR TITLE INSURANCE  
SCHEDULE A

File No. PRO-08-318W

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:

Rose Land Company, 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**

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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 Rose Land Company, LLC, a Virginia limited liability company, vesting fee simple title in To Be Determined.

Note: We must be furnished a copy of the Certificate of Organization and the written Operating Agreement and all amendments thereto. Upon review of same, this commitment may be modified or amended.

Or, certification by approved attorney that seller/borrower is a valid and subsisting limited liability company in its state of organization and that execution and delivery of the document(s) required herein is/are pursuant to the terms of its operating agreement.

2. Proper release of record of restrictions recorded as Instrument No. 020006975 and amended by Instrument No. 060002535.
3. Receipt of newly created description that adequately defines, describes and locates premises to be insured AND this description must be used in the document(s) creating the estate or interest to be insured, subject to approval by this Company.
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. Payment of any rollback taxes due under Section 58.1-3237, Code of Virginia, as amended.

Note: This Company may take other requirements and/or exceptions upon receipt and review of the above-listed documents.

**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**

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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. Those taxes becoming due and payable subsequent to the date of the policy.
2. Easement granted American Telephone and Telegraph Company of Virginia by instrument dated June 2, 1931 from Nellie W. Price and Marguerite W. Price, recorded in Deed Book 189, Page 81.
3. Easement granted Virginia Gas Distribution Corporation by instrument dated June 9, 1931 from Nellie W. Price and Marguerite W. Price, recorded in Deed Book V, Page 209.
4. Easement granted Virginia Gas Distribution Corporation by instrument dated May 15, 1956 from Nellie W. Price and Marguerite W. Price, recorded in Deed Book 125, Page 269.
5. Easement granted Virginia Gas Distribution Corporation by instrument dated September 20, 1951 from Nellie W. Price and Marguerite W. Price, recorded in Deed Book 105, Page 112.
6. Easement granted Virginia Gas Distribution Corporation by instrument dated August 4, 1958 from Nellie W. Price and Marguerite W. Price, recorded in Deed Book 134, Page 626.
7. Easement granted Atlantic Seaboard Corporation by instrument dated March 4, 1964 from Nellie W. Price and Marguerite W. Price, recorded in Deed Book 162, Page 309.
8. Easement granted Virginia Electric and Power Company by instrument dated March 30, 1986 from Westvaco, recorded in Deed Book 301, Page 354.
9. Easement granted Commonwealth of Virginia by instrument dated June 29, 2006 from Rose Land Company, LLC, recorded as Instrument No. 060004454.
10. The following matters as shown on plat recorded in Plat Book 41, pages 39 and 40:
  - a. VEPCO easement (DB 301, pg. 40) located along the northeasterly property line of Tract 4.
  - b. Location of drainfield on Tract 4.
  - c. Gas line easement located along the southerly portion of 10.45 acre parcel.
  - d. Gas line easement located upon the northwesterly portion of Tract 5.
  - e. Location of drainfield of Tract 5.
  - f. VDOT slope easement along the westerly front portion of Tract 5.

**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)**

11. Easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments and any matters not shown by the public records which would be disclosed by an accurate survey and inspection of the land described in Schedule A.

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**

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Located in the County of Botetourt, State of Virginia:

Parcel 1: Tract 4, containing 58.42 acres, more or less, Rose Land Company, as shown on a plat of survey made by Roderick F. Pierson, CLS, dated July 5, 2007, recorded in the Clerk's Office of the Circuit Court for the County of Botetourt, Virginia, in Plat Book 41, at pages 39 and 40.

Parcel 2: Tract 5, containing 94.22 acres, more or less, Rose Land Company, as shown on a plat of survey made by Roderick F. Pierson, CLS, dated July 5, 2007, recorded in the Clerk's Office of the Circuit Court for the County of Botetourt, Virginia, in Plat Book 41, at pages 39 and 40.

Parcel 3: All that certain parcel containing 10.45 acres as shown on a plat of survey made by Roderick F. Pierson, CLS, dated July 5, 2007, recorded in the Clerk's Office of the Circuit Court for the County of Botetourt, Virginia, in Plat Book 41, at pages 39 and 40.

**Commitment – Schedule A**

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