



**FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

File No. PRO-16-2467W

REVISION A

1. Effective Date:

2. Policy or policies to be issued:

Amount

To Be Determined

- (a) ☒ ALTA Owner's Policy: (6-17-06)
☐ ALTA Homeowner'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:

Carl E. Simpson and Linda B. Simpson

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

See Schedule A attached hereto and made a part hereof.

Property Address:

Auction Tracts 1 through 29, Landmark Mountain & The Plateau
Franklin County, Virginia

Countersigned:

PROFESSIONAL TITLE ASSOCIATES
3130 Chaparral Drive, Suite B-100
Roanoke, VA 24018
(540) 725-1558

Authorized Officer or Agent

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B
Requirements

File No. PRO-16-2467W

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. General Warranty Deed from Carl E. Simpson and Linda B. Simpson vesting fee simple title in To Be Determined.
2. No recorded deed of trust or mortgage on the subject property was found in a search of the land records. Accordingly, the Company requires receipt of an Affidavit from record owner addressed to the Company, stating that there are no recorded or unrecorded deed(s) of trust, personal notes and/or obligations on the above real estate intended by the mortgagee, lender or noteholder to be paid with closing proceeds.
3. Examination of the appropriate public records in the name(s) of the Purchasers of the land to be insured and described in this title commitment, and disclosure to the Company of all United States liens thereby revealed. Unless released of record or otherwise disposed of to the satisfaction of the Company, judgments in favor of the United States will appear as exceptions in Schedule B of the final policy.
4. Receipt of satisfactory executed "Owners (sellers) Affidavit as to Mechanics' Liens and Possession."

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

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B – SECTION 2
Exceptions

File No. PRO-16-2467W

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. Terms, provisions, restrictions, conditions, easements, liens, assessments, developer rights, options, rights of first refusal and reservations appearing of record in Deed Book 805, page 2344 and amended by instrument recorded in Deed Book 950, page 681. NOTE: As to Auction Tracts 1 through 22.

NOTE: This exception omits any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C Section 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C Section 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

3. Terms, provisions, restrictions, conditions, easements, liens, assessments, developer rights, options, rights of first refusal and reservations appearing of record in Deed Book 910, page 856. NOTE: As to Auction Tracts 23 through 29.

NOTE: This exception omits any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C Section 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C Section 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

4. Building restriction line of 35 feet from Summit Land and Penny Lane as shown on the recorded plat of subdivision.
5. Easement granted Appalachian Power Company by instrument dated February 2, 1984 from John P. Lee, recorded in Deed Book 385, page 1088.
6. Easement granted Appalachian Power Company by instrument dated October 7, 2004 from Arrington Development, Inc., recorded in Deed Book 838, page 11.
7. Terms and conditions contained in the following instruments:
 - a. Deed from John Penn Lee to Town of Rocky Mount, recorded in Deed Book 726, page 1442.
 - b. Deed from John Penn Lee to County of Franklin, Virginia, recorded in Deed Book 739, page 2030.
 - c. Agreement dated October 18, 2001, recorded in Deed Book 805, page 2323.
 - d. Deed of Dedication dated October 16, 2003, recorded in Deed Book 805, page 2331.
 - e. Deed of Confirmation dated December 12, 2003, recorded in Deed Book 805, page 2333.
8. The following matters as shown on plat of subdivision recorded in Deed Book 805, pages 2352-2555:
 - a. Public utility easement 15 feet in width along the front property lines.

Commitment – Schedule B Section 2

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

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B – SECTION 2
Exceptions - (continued)

- b. Drainage easement 20 feet in width along the boundary lines between Auction Tracts 1 and 2, Auction Tracts 6 and 7, and Lot 26 and Auction Tract 12.
 - c. Drainage easement 20 feet in width along the rear property lines of Auction Tracts 1 through 12.
 - d. Public utility easements 25 feet in width and 10 feet in width along the northeast and southeast lot lines of Auction Tract 13.
 - e. Sanitary sewer easement 20 feet in width crossing Auction Tracts 14, 15, 16, 18, 19, 20, 21 and 22.
 - f. Drainage easements 20 feet in width along the boundary lines between Auction Tracts 15 and 16, Auction Tract 18 and Lot 46, and Lot 49 and Auction Tract 19.
9. The following matters as shown on plat of subdivision recorded in Deed Book 910, pages 864 and 865:
- a. Public utility easement 20 feet in width along the front property lines.
 - b. Sewer easement 20 feet in width crossing the westerly (rear) portion of Auction Tract 27 and the rear corner of Auction Tracts 28 and 29.
 - c. Sign easement located on the southerly portion of Auction Tract 29.
10. 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. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.

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.

FIDELITY NATIONAL TITLE INSURANCE COMPANY
Schedule A
Legal Description

File No. PRO-16-2467W

Located in the County of Franklin, State of Virginia:

AUCTION TRACT 1:

Lot 11, containing 0.647 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 2:

Lot 12, containing 0.644 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 3:

Lot 13, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 4:

Lot 14, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 5:

Lot 18, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 6:

Lot 20, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 7:

Lot 21, containing 0.715 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book

Commitment – Schedule A

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

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EXHIBIT A

Legal Description – (continued)

805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 8:

Lot 22, containing 0.697 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 9:

Lot 23, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 10:

Lot 24, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 11:

Lot 25, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 12:

Lot 27, containing 0.804 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 13:

Lot 29, containing 1.034 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 14:

Lot 38, containing 0.734 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 15:

Lot 39, containing 0.732 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book

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EXHIBIT A

Legal Description – (continued)

805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 16:

Lot 40, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 17:

Lot 41, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 18:

Lot 45, containing 0.717 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 19:

Lot 50, containing 0.713 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 20:

Lot 57, containing 0.347 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 21:

Lot 59, containing 0.734 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 22:

Lot 60, containing 0.829 acre, LANDMARK MOUNTAIN, SECTION ONE, said lot being more particularly described according to plat of survey entitled, "The Landmark", prepared by Robert C. Jeans, L.S., bearing date of December 23, 2002, revised November 26, 2003, of record in the Franklin County Circuit Court Clerk's Office in Deed Book 805, at Pages 2352-2355, with reference being made to said plats for a more complete description of the property herein described.

AUCTION TRACT 23:

Lot 62, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.750 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 2007, revised April 3, 2007, and of record in the Clerk's

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EXHIBIT A

Legal Description – (continued)

Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.

AUCTION TRACT 24:

Lot 63, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.750 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 20076, revised April 3, 2007, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.

AUCTION TRACT 25:

Lot 64, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.750 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 20076, revised April 3, 2007, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.

AUCTION TRACT 26:

Lot 66, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.750 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 20076, revised April 3, 2007, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.

AUCTION TRACT 27:

Lot 70, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.705 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 20076, revised April 3, 2007, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.

AUCTION TRACT 28:

Lot 72, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.705 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 20076, revised April 3, 2007, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.

AUCTION TRACT 29:

Lot 73, THE PLATEAU AT LANDMARK MOUNTAIN, containing 0.705 acre, said lot being more particularly described according to plat of survey entitled, "The Plateau at Landmark Mountain", prepared by Cornerstone Land Surveying, Inc., Robert C. Jeans, L.S., dated March 1, 20076, revised April 3, 2007, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 910, at Pages 864-865, with reference being made for a more complete and particular description of the property.