



# Fidelity National Title Insurance Company

## SCHEDULE A

Title No. **PRO-18-3213W4**

File No. **PRO-18-3213W4**

1. Commitment Date:
2. Policy or Policies to be issued: Amount of Insurance
  - (a) ALTA Owner's Policy (6-17-06) \$750,000.00  
Proposed Insured:  
**HopeTree Property Holdings, LLC**
  - (b)  
Proposed Insured:
3. The Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by  
**HopeTree Property Holdings, LLC**
4. The land referred to in the Commitment is described as follows:  
**See continuation of Schedule A for legal description**

Countersigned:

Professional Title Associates  
1528 Narrow Passage Road  
Buchanan, VA 24066

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



# Fidelity National Title Insurance Company

## SCHEDULE A CONTINUED

Title No. **PRO-18-3213W4**

File No. **PRO-18-3213W4**

### LEGAL DESCRIPTION

All that certain lot or parcel of land situate in the County of Bedford, Commonwealth of Virginia, and being more particularly described as follows:

Lot 4, containing 22.204 acres, more or less, as shown on Plat of Minor Subdivision of Tax Parcel 69-1-D, made by Gay and Neel, Inc., Engineers, Land Planning, Surveyors, dated June 23, 2017, revised \_\_\_\_\_, recorded in the Clerk's Office of the Circuit Court for the County of Bedford, Virginia, in Plat Book \_\_\_\_\_, page \_\_\_\_\_.

TOGETHER WITH and SUBJECT TO the right of ingress and egress over Apple Butter Lane and Camp Jaycee Road as shown or set out on the aforementioned plat of subdivision.

TOGETHER WITH and SUBJECT TO the right to use the waste water treatment plant hand lift station and well as set out in Easement Agreement dated \_\_\_\_\_, recorded as Instrument No. \_\_\_\_\_.

TOGETHER WITH any and all rights quitclaimed to Camp Virginia Jaycees, Inc. in and to a right of way and all rights in and to a spring as set forth in that certain Deed dated May 12, 1970, recorded in the Clerk's Office of the Circuit Court of Bedford County, Virginia, in Deed Book 361, page 180, previously in Deed Book 239, page 313, and referenced in Plat Book 7, page 27.

**\*\*DESCRIPTION OF THE LAND AND APPURTENANT EASEMENT(S) TO BE PROVIDED BY APPROVED ATTORNEY\*\***

BEING a portion of the Land conveyed to HopeTree Property Holdings, LLC, a Virginia limited liability company, by Deed dated June 27, 2012, from Dare To Care Charities, Inc., a Virginia corporation, formerly known as Camp Virginia Jaycee, Inc., a Virginia corporation, recorded in the aforesaid Clerk's Office as Instrument No. 120006992.



# Fidelity National Title Insurance Company

## SCHEDULE B I REQUIREMENTS

Title No. **PRO-18-3213W4**

File No. **PRO-18-3213W4**

The following requirements must be met:

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, 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. **Duly authorized Deed from HopeTree Property Holdings, LLC to HopeTree Property Holdings, LLC.**
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. Receipt of satisfactory executed "Owners (sellers) Affidavit as to Mechanics' Liens and Possession."
6. Receipt by the Company of satisfactory Notice of Availability of Owner's Coverage.
7. No recorded deed of trust or mortgage on the Land 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 Land intended by the mortgagee, lender or noteholder to be paid with closing proceeds.
8. Receipt of newly created description that adequately defines, describes and locates the Land and appurtenant easement 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.
9. Recordation of plat of survey prepared by Gay and Neel, Inc., dated June 23, 2017, revised \_\_\_\_\_ and receipt by the Company of amended description making reference to this plat. NOTE: Amended description MUST BE USED in the document to be insured.
10. The Company 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.

11. Examination of the appropriate public records in the name(s) of the Purchasers to be determined 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.

OR

Certification of Approved Attorney that there are no docketed federal judgment liens against the purchasers to be determined.



# Fidelity National Title Insurance Company

## SCHEDULE B – PART I CONTINUED

Title No. **PRO-18-3213W4**

File No. **PRO-18-3213W4**

NOTE: THIS COMPANY MAY TAKE OTHER REQUIREMENTS AND/OR EXCEPTIONS UPON RECEIPT AND REVIEW OF THE ABOVE-LISTED DOCUMENTS.

This tax information is furnished for your information only. No liability of any nature whatsoever is hereby assumed for errors as to these figures. The Closing Attorney/Settlement Agent must verify these figures for the purposes of certifying title to the company, and preparing his prorations.

2017 Assessment  
Tax Map No. 69 1 D (Parent Tract)  
Land \$537,600  
Improvements \$1,890,100  
Total \$2,427,700  
Annual Levy – Exempt  
Due Dates 6/5 and 12/5



# Fidelity National Title Insurance Company

## SCHEDULE B II

### EXCEPTIONS

Title No. **PRO-18-3213W4**

File No. **PRO-18-3213W4**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

a. 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 as Instrument No. \_\_\_\_\_.

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. Easements granted as follows:

a. To Chesapeake and Potomac Telephone Company of Virginia by instrument dated April 24, 1970, recorded in Deed Book 360, page 733.

b. To Appalachian Power Company by instrument dated October 16, 1986, recorded in Deed Book 657, page 104.

c. To Appalachian Power Company by instrument dated May 1, 1988, recorded in Deed Book 692, page 151.

d. To Rockydale Quarries Corporation and Tinker Creek Realty Corporation by instrument dated September 26, 2013, recorded as Instrument No. 130012880 and shown on plat recorded in Plat Book 55, page 277.

4. Terms and conditions of the following:

a. Road Maintenance Agreement dated September 26, 2013, recorded as Instrument No. 130012881.

b. Rights of Rockydale Quarries Corp. set out in instrument recorded in Deed Book 239, page 313 and shown on plat recorded in Plat Book 12, page 99.

c. Easement Agreement dated \_\_\_\_\_, 2018, between HopeTree Property Holdings, LLC and \_\_\_\_\_, recorded as Instrument No. \_\_\_\_\_.

5. Reservation of mineral rights, together with the privileges, mining rights and immunities, as set out in deed dated December 16, 1899, recorded in Deed Book 78, page 373 and restated in deed dated November 3, 1941, recorded in Deed Book 196, page 266, and shown on plat recorded in Plat Book 2, page 2.

6. The following matters as set out or set out on plat made by Gay and Neel, Inc., dated June 23, 2017, revised \_\_\_\_\_:

a. Access right of way retained by Callie E. Hogan and Roy W. Hogan (DB 239, pg. 313)

b. Encroachment upon the Land by the fences appurtenant to property adjoining on the north.

c. Wet weather stream crossing the Land.

d. Ingress/egress easement 50 feet in width reserved centered on existing road across Lot 3 and 4 to State Route 697 for benefit of Lots 5 and 6.



# Fidelity National Title Insurance Company

## SCHEDULE B – PART II CONTINUED

Title No. **PRO-18-3213W4**

File No. **PRO-18-3213W4**

- e. Easement for sanitary sewer service 20 feet in width for the benefit of Lot 4.
- f. Approximate area of 2" force main lines.
- g. Existing W.W.T.P. located partially upon the Land and partially upon Lot 6.
- h. Gravel drive located upon the Land and upon Lot 3.
- i. Overhead utility lines crossing the Land.
- j. Notes on plat, including but not limited to, the following:
  - i. Note 10: Bedford County setback requirements 35 feet from front, 25 feet from rear, 10 feet from side.
  - ii. Note 16: Only two lots shall have right to use the 40 foot right of way of Apple Butter Lane. These two lots are designated Lots 5 and 6 on said plat.
  - iii. Note 17: Well situated on Lot 1 serves structures on Lots 1, 4 and 6. Easement appurtenant for well is of sufficient area to permit access, construction, maintenance and repair of the well and its related components.
  - iv. Note 18: 20 foot wide public utility easements centered on all interior lot lines, are hereby dedicated.
7. Rights of others in and to the use of the easement(s) conveyed as appurtenant to the Land as set out in the description attached to the instrument creating the insured estate or interest; and rights of others in and to the use of those portions of the Land lying within the bounds of said easements.
8. Rights of others in and to the continued uninterrupted flow of the wet weather stream.
9. 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.