



# Fidelity National Title Insurance Company

## SCHEDULE A Revision B

Title No.

File No. **PRO-18-3430W**

1. Commitment Date: **October 24, 2018 at 8:00 am**

2. Policy or Policies to be issued: Amount of Insurance

(a) ALTA Owner's Policy (6-17-06) \$179,866.00

Proposed Insured:

**Steven L. Higgs, Trustee in Bankruptcy of D-Scan Inc.**

(b)

Proposed Insured:

3. The Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by

**Steven L. Higgs, Trustee in Bankruptcy of D-Scan Inc.**

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

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

**All that certain lot or parcel of land, lying and being in Black Walnut District, Halifax County, Virginia, designated and being Lot No. 3 containing 14.7394 Acres according to Plat of Survey made by Jones & Associates, P.L.S. on plat dated February 14, 2001, made for d-Scan, said plat to be recorded in the Clerk's Office of the Circuit Court of Halifax County, Virginia, in Plat Book 21, page 85, to which plat reference is hereby made for a more particular description of said real estate.**

Countersigned:

Professional Title Associates  
1528 Narrow Passage Road  
Buchanan, VA 24066

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



# Fidelity National Title Insurance Company

## SCHEDULE B I

### REQUIREMENTS

Title No. **PRO-18-3430W**

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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 Special Warranty Deed from Steven L. Higgs, Trustee in Bankruptcy of D-Scan Inc. to \_\_\_\_\_.**
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. INTENTIONALLY DELETED.
6. Receipt by the Company of satisfactory Notice of Availability of Owner's Coverage.
7. INTENTIONALLY DELETED.
8. Payment of taxes for the first half of the year 2018, together with penalty and interest.
9. Payment of taxes for the second half of the year 2018, due December 5, 2018.
10. 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.

11. Receipt of evidence of the following regarding bankruptcy:
  - a. Sale of insured premises is free and clear of liens. NOTE: RECEIVED.
  - b. Sale has been approved by the Bankruptcy Court and all necessary parties were before the court. NOTE: RECEIVED
  - c. Proceedings were properly held and the appeal period (14 days from order) has expired or waived. NOTE: RECEIVED

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

*Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.*



# Fidelity National Title Insurance Company

## SCHEDULE B – PART I CONTINUED

Title No. **PRO-18-3430W**

File No. **PRO-18-3430W**

FOR INFORMATION ONLY:

CHAIN OF TITLE:

BEING the same property conveyed to d-Scan Inc., a Delaware corporation by Deed from The Industrial Development Authority of the County of Halifax, Virginia dated September 3, 1999, recorded in the Clerk's Office of the Circuit Court of Halifax County, Virginia in Deed Book 732, Page 524 and Deed of Correction recorded in Deed Book 770, Page 662.



# Fidelity National Title Insurance Company

## SCHEDULE B II

### EXCEPTIONS

Title No. **PRO-18-3430W**

File No. **PRO-18-3430W**

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, covenants, conditions, restrictions, reservations, easements, liens for assessments, developer rights, options and reservations and other matters, if any, and any amendments thereto, appearing of record in Declaration dated March 17, 1980, recorded March 20, 1980, in Deed Book 442, Page 247; in the related bylaws; in any instrument creating the estate or interest insured by this policy; and in any other allied instrument referred to in any of the instruments aforesaid, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
  3. Easement granted from The Industrial Development Authority of Halifax County by instrument dated September 3, 1999, recorded September 14, 1999, in Deed Book 732, Page 524 and Deed of Correction recorded in Deed Book 770, Page 662.
  4. Easement granted from The Industrial Development Authority of Halifax County to Commonwealth of Virginia by instrument dated August 7, 1985, recorded August 8, 1985, in Deed Book 490, Page 631.
  5. Easement granted from J. G. Rogers and Mary F. Rogers to Virginia Public Service Company by instrument dated May 13, 1935, recorded July 20, 1935, in Deed Book 151, Page 540.
  6. The following matters as shown on Plat of Subdivision recorded in Map Book 21, Page 85:
    - a. 30' utility easement.
    - b. Overhead utility lines.
    - c. Industrial railroad spur.
  7. Rights of the railroad company servicing the railroad siding/spur located on the Land in and to the ties, rails and other properties constituting said railroad siding/spur or in and to the use thereof.
  8. 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.