



# Fidelity National Title Insurance Company

## SCHEDULE A Revision B

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

1. Commitment Date: **February 14, 2019 at 8:00 am**
2. Policy or Policies to be issued: Amount of Insurance
  - (a) ALTA Owner's Policy (6-17-06) **\$1,886,700.00**

Proposed Insured:  
**Trustees of The Lambert Trust under Trust Agreement dated October 27, 1999**

  - (b)

Proposed Insured:
3. The Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by  
**Trustees of The Lambert Trust under Trust Agreement dated October 27, 1999**
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-19-3523W**

File No. **PRO-19-3523W**

### LEGAL DESCRIPTION

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

#### **AUCTION TRACT 1:**

All that certain tract or parcel of land known as Tract 1, containing 9.023 acres, as shown on "Boundary Adjustment of Tracts The Lambert Trust..." Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

#### **AUCTION TRACT 2:**

All that certain tract or parcel of land known as Tract 2, containing 4.078 acres, as shown on "Boundary Adjustment of Tracts The Lambert Trust..." Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

#### **AUCTION TRACT 3:**

All that certain tract or parcel of land known as Tract 3, containing 8.082 acres, as shown on "Boundary Adjustment of Tracts The Lambert Trust..." Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

#### **AUCTION TRACT 4:**

All that certain tract or parcel of land known as Tract 4, containing 6.623 acres, as shown on "Boundary Adjustment of Tracts The Lambert Trust..." Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

#### **AUCTION TRACT 5:**

All that certain tract or parcel of land known as Tract 5, containing 6.748 acres, as shown on "Boundary Adjustment of Tracts The Lambert Trust..." Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

#### **AUCTION TRACT 6:**

All that certain tract or parcel of land known as Tract 6, containing 13.118 acres, as shown on "Boundary Adjustment of Tracts The Lambert Trust..." Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.



# Fidelity National Title Insurance Company

## SCHEDULE A CONTINUED

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

### **AUCTION TRACT 7:**

All that certain tract or parcel of land known as Tract 7, containing 5.686 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 8:**

All that certain tract or parcel of land known as Tract 8, containing 22.270 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 9:**

All that certain tract or parcel of land known as Tract 9, containing 15.577 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 10:**

All that certain tract or parcel of land known as Tract 10, containing 18.658 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 11:**

All that certain tract or parcel of land known as Tract 11, containing 130.378 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 12:**

All that certain tract or parcel of land known as Tract 12, containing 8.535 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.



# Fidelity National Title Insurance Company

## SCHEDULE A CONTINUED

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 13:**

All that certain tract or parcel of land known as Tract 13, containing 83.139 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 14:**

All that certain tract or parcel of land known as Tract 14, containing 5.485 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 15:**

All that certain tract or parcel of land known as Tract 15, containing 87.300 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 16:**

All that certain tract or parcel of land known as Tract 16, containing 22.353 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 17:**

All that certain tract or parcel of land known as Tract 17, containing 134.074 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded in the Clerk’s Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.

TOGETHER WITH AND SUBJECT TO the right of ingress and egress over Hampton Drive as shown on the above mentioned plat.

### **AUCTION TRACT 18:**

All that certain tract or parcel of land known as Tract 18, containing 42.715 acres, as shown on “Boundary Adjustment of Tracts The Lambert Trust...” Made by Addison Surveyors, dated August 8, 2019, recorded



# Fidelity National Title Insurance Company

## SCHEDULE A CONTINUED

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

in the Clerk's Office of the Circuit Court for the County of Washington, Virginia in Plat Book \_\_\_\_, page \_\_\_\_.



# Fidelity National Title Insurance Company

## SCHEDULE B I

### REQUIREMENTS

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

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 Trustees of The Lambert Trust under Trust Agreement dated October 27, 1999 to Trustees of The Lambert Trust under Trust Agreement dated October 27, 1999.**
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. Satisfaction and release of record of CREDIT LINE deed of trust from Nickey James Lambert, sole acting trustee of The Lambert Trust U/T/A dated October 27, 1999, to David J. Hutton, Trustee(s), dated December 27, 2016, filed for record in Instrument No. 160006042. As stated in deed of trust: Original Principal \$650,000.00; Original Note Holder Highlands Union Bank. NOTE: Agent must require credit line account to be closed and that the checks and/or credit card(s) issued in connection with the account be surrendered.
8. Recordation of plat of survey prepared by Addition Surveyors, dated August 8, 2019 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..
9. Certification by Approved Attorney that Trustee(s) has/have full and complete power and authority to sell described property pursuant to and in accordance with the terms and provisions of the Trust Agreement under which title is held and vested and further that all provisions of such Trust have been complied with concerning the transaction and there is no violation of any of the provisions thereof, and that the trust is still in effect and has not been amended.
10. Payment of all Federal and/or State Estate taxes, if any, due on the estate of James Carter Lambert, deceased.
11. Description referenced in Schedule A hereof must be used in the instrument(s) creating the estate or interest to be insured herein. If description is corrected or amended, Company must be provided copy of new description.
12. Receipt by the Company of satisfactory affidavit that there has been no exploration or productions of oil, gas, minerals, etc. under the terms of Oil & Gas Lease(s) and Assignment(s) recorded in Deed Book 654, Page 265, Deed Book 654, Page 268, Deed Book 654, Page 277, Deed Book 704, Page 458 and Deed Book 766, Page 595.

**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 II

### EXCEPTIONS

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

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 in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

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. Easement granted from J. Carter Lambert, et ux, to APCO by instrument dated October 13, 1978, recorded in Deed Book 599, Page 395.

4. Easement granted from Carter Lambert, et ux, to APCO by instrument dated August 31, 1987, recorded in Deed Book 749, Page 571.

5. Easement granted from Carter Lambert, et ux to Commonwealth of Virginia for Rt. 692 by instrument dated January 3, 1989, recorded in Deed Book 776, Page 782.

6. Easement granted from Nick J. Lambert, et ux, to Commonwealth of Virginia for Rt. 692 by instrument dated January 3, 1989, recorded in Deed Book 776, Page 785.

7. Easement granted from Marce Odis Dunn to Commonwealth of Virginia for Rt. 692 by instrument dated March 16, 1988, recorded in Deed Book 758, Page 596.

8. Easement granted from Kenneth Dunn, et ux, to Commonwealth of Virginia for Rt. 692 by instrument dated December 27, 1988, recorded in Deed Book 772, Page 860.

9. Terms, conditions and easement(s) set out in instruments recorded in Deed Book 907, Page 360 and Deed Book 546, Page 521.

11. Terms and conditions of Quit-Claim to any R/W to Rt. 692 as described in Deed Book 546, Page 521.

12. Terms and conditions of Option(s) with the Commonwealth of Virginia (Rt. 692) as described in Deed Book 770, Deed Book 578 and Deed Book 770, Page 575.

13. Terms and conditions of Road Maintenance Agreement recorded in Deed Book \_\_\_\_\_, page \_\_\_\_\_. NOTE: AS TO AUCTION TRACTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 AND 17.

14. Title to any portion of the Land lying within the bounds of Route 692.

15. Rights of others in and to the use of those portions of the Land lying within the bounds of any road or right-of-way and the use of the easement conveyed as appurtenant to the Land as set out in the description attached to the instrument creating the insured estate or interest.

16. Rights of others in and to the continued uninterrupted flow of any river, creek, stream, spring or branch, including but not limited to Toole Creek, Gobble Branch, and Mitchell Williams Branch.

17. Title to that portion of the Land lying within the normal bounds of North Fork Holston River. NOTE: AS TO AUCTION TRACTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10.



# Fidelity National Title Insurance Company

## SCHEDULE B – PART II CONTINUED

Title No. **PRO-19-3523W**

File No. **PRO-19-3523W**

18. Title to that portion of the Land lying within the bounds of the cemetery shown on plat recorded in Plat Book 17, Page 65-67, together with the right of ingress and egress thereto.
19. Rights of tenants or parties in possession.
20. The following matters as shown on Boundary Adjustment of Tracts dated August 8, 2019, made by Addition Surveyors:
  - a. Reservation of easement 20 feet in width for drainage and utilities along all lot lines, 10 feet in width adjacent to all interior lot lines and 20 feet in width contiguous to all outside boundary lines.
  - b. Overhead utility line(s) crossing Tract 1, Tract 6, Tract 7, Tract 14, and Tract 13.
  - c. Commonwealth of Virginia permanent easement located upon the westerly side of Tract 3.
  - d. Possible encroachment upon the 20 foot wide drainage and utility easement by the frame barn appurtenant to Tract 7.
  - e. Soil road along the easterly boundary of Tract 10 and Tract 11.
  - f. Easement for turn-around located upon Tract 11.
  - g. Possible encroachment upon the 20 foot wide drainage and utility easement by the shed appurtenant to Tract 14.