



# Fidelity National Title Insurance Company

TM #s: 27.1(001 )000 /001A, 2A,3A, 27.1(001 )000 /004A, 5A,6A, 27.1(003 )000A/026 ,27-29, 27.1(003 )000A/030 ,31-35, & 27.1(002 )000 /009 ,10-19

## SCHEDULE A Revision A – 11/7/2022

Title No. **PRO-22-4308W-82 to 87**

File No. **PRO-22-4308W-82 to 87**

1. Commitment Date: **June 14, 2022**
2. Policy or Policies to be issued: Amount of Insurance  
 (a) ALTA Owner’s Policy (6-17-06) **\$196,200.00**  
 Proposed Insured:  
**THE THEOFILOS G. BALABANIS TRUST FUND F/B/O THE GEORGE T. AND ELIZABETH P. BALABANIS CHARITABLE FOUNDATION**  
 (b)  
 Proposed Insured:
3. The Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by  
**T R Properties, Inc.**
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



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## SCHEDULE A CONTINUED

Title No. **PRO-22-44308W-82 to 87**

File No. **PRO-22-44308W-82 to 87**

### LEGAL DESCRIPTION

Located in the County of Henry, State of Virginia:

**PARCEL 1: (940 & 950 Blackberry Rd) – TM #s 27.1(001 )000 /001A, 2A, 3A & 27.1(001 )000 /004A, 5A, 6A**

**TM # 27.1(001 )000 /001A, 2A, 3A**

TRACT 1: All those certain lots or parcels of land situated on the State Highway leading from Bassett to Blackberry Church and designated as Lots 1A, 2A, and 3A, on a plat thereof for T R Properties, Inc., made by Terry A. Waller, LLS, May 29, 2002, recorded among the current real estate records of the Henry County Circuit Court Clerk's Office, said lots having a combined frontage on the Northwest side of State Route 698 of 76.42 feet and a frontage on State Route 712 (Mary Hunter Drive) of 149.58 feet.

**TM # 27.1(001 )000 /004A, 5A, 6A**

TRACT 2: All those certain lots or parcels of land situated near the State Highway leading from Bassett to Blackberry Church and designated as Lots 4A, 5A and 6A, on a plat thereof for T R Properties, Inc., made by Terry A. Waller, LLS, May 29, 2002, recorded among the current real estate records of the Henry County Circuit Court Clerk's Office, said lots having a combined frontage on the Northwest side of State Route 698 of 75 feet.

**PARCEL 2: (910 Blackberry Rd) - TM # 27.1(003 )000A/026, 27-39**

All that lot or parcel of land situate in the Blackberry District of Henry County, Virginia, situated about one and one half miles southwest of Bassett on the northwest side of State Highway leading from Bassett to Blackberry Church and being known and designated as Lots #26, 27, 28 and 29, in Section A, as shown on Map of Property of R. L. Brammer, made by J. A. Trent, CLs, on September 28, 1946, and recorded in the Clerk's Office of the Circuit Court of Henry County, Virginia, in Map Book 3, page 284.

**PARCEL 3: (930 Blackberry Rd) - TM # 27.1(003 )000A/030, 31-35**

All those certain adjoining lots or parcels of land situate about one and one-half miles Southwest of Bassett in Horsepasture District of Henry County, Virginia, near Blackberry Creek on the northwest side of State Road No. 712 leading from said Highway toward North Bassett, being Lot Nos. 30, 31, 32, 33, 34 and 35 (each of said lots fronting on said Highway), all of said lots being 25 feet wide on the front and back except Lot No. 35 which is 29 feet wide on the front and 3 feet wide on the back and extends along the Northeast margin of said Road No. 712 a distance of 220 feet to the line of Lot No. 6, as all of said lots are shown and designated in Section A on map of property of said R. L. Brammer made by J. A. Trent, C.L.S., on September 28, 1946, recorded in the Circuit Court Clerk's Office in said County in Map Book 3, page 284.

**PARCEL 4: (0 Blackberry Road) – TM #s 27.1(002 )000 /009, 10-19 & 27.1(002 )000 /020, 21-24**



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## SCHEDULE A CONTINUED

Title No. **PRO-22-44308W-82 to 87**

File No. **PRO-22-44308W-82 to 87**

All those certain lots or parcels of land situated in the Horsepasture District of Henry County, Virginia, on the Southerly side of the road leading from Bassett to Blackberry Church, Virginia, bounded and described as whole as follows, to-wit:

BEGINNING at a point in the southerly margin of said Highway marking the dividing line between Lots #3 and #4 as shown on the hereinafter map; thence along said dividing line South 52 deg. East 388 feet to a point in the middle of Blackberry Creek; thence down Blackberry Creek as it meanders 567.08 feet, more or less, to a point in Brammer's line; thence along Brammer's line north 35 deg. 12' West 230.8 feet to said road; thence along said road South 3\_\_\_ West 543.5 feet to the point of beginning, and being Lots #4 through #24, inclusive, as shown on a map of the property of H. Russ and Mary Groome Barnes, dated March 22, 1949, prepared by J. A. Trent, C.L.S., and of record in the Henry County Circuit Court clerk's Office in Map Book 4, page 180.

LESS AND EXCEPT Lots 4 through 8 previously conveyed off.



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## SCHEDULE B I REQUIREMENTS

Title No. **PRO-22-4308W-82 to 87**

File No. **PRO-22-4308W-82 to 87**

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 T R Properties, Inc. to THE THEOFILOS G. BALABANIS TRUST FUND F/B/O THE GEORGE T. AND ELIZABETH P. BALABANIS CHARITABLE FOUNDATION.**
    - b. **Duly authorized Deed from THE THEOFILOS G. BALABANIS TRUST FUND F/B/O THE GEORGE T. AND ELIZABETH P. BALABANIS CHARITABLE FOUNDATION to (TO BE DETERMINED).**
  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. Proof, satisfactory to this Company that seller/borrower is a valid and subsisting corporation in its state of incorporation and that execution and delivery of the document(s) required herein is/are pursuant to a valid resolution of its board of directors, or such must be certified as proper by approved attorney.
  9. Examination of the appropriate public records in the name(s) of the unnamed 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.
- OR
- Certification of Approved Attorney that there are no docketed federal judgment liens against the purchasers.
10. Certification from settlement agent that they have made independent verification through the PACER system that the seller and/or borrowers are not in bankruptcy.
  11. 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



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## SCHEDULE B – PART I CONTINUED

Title No. **PRO-22-4308W-82 to 87**

File No. **PRO-22-4308W-82 to 87**

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.

**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.*



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## SCHEDULE B II

### EXCEPTIONS

Title No. **PRO-22-44308W-82 to 87**

File No. **PRO-22-44308W-82 to 87**

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. Rights of tenants or parties in possession.
  3. 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.

AS TO PARCEL 1: (950 Blackberry Rd)

4. Setback lines, easements, rights of way and all terms and conditions set forth on the plats recorded in Map Book 92, page 273 and Map Book 92, page 274.
5. Easements granted to:
  - a. Henry County PSA by instrument dated July 16, 1984, recorded in Deed Book 382, page 90.
  - b. AEPCO by instrument dated September 12, 1947, recorded in Deed Book 90, page 303.

NOTE: Access for Lots 4A, 5A and 6A are by way of Lots 1A, 2A and 3A.

AS TO PARCEL 2: (910 Blackberry Rd)

6. Setback lines, easements, rights of way and all terms and conditions set forth on the plat recorded in Map Book 3, page 284.
7. Easements granted to:
  - a. Commonwealth of Virginia by instrument dated June 18, 1969, recorded in Deed Book 220, page 605.
  - b. Lee Telephone Co. by instrument dated March 11, 1960, recorded in Deed Book 172, page 178.

AS TO PARCEL 3: (930 Blackberry Rd)

8. Setback lines, easements, rights of way and all terms and conditions set forth on the plat recorded in Map Book 3, page 284.
9. Easement granted to Henry County PSA by instrument dated March 1, 1979, recorded in Deed Book 301, page 449.

AS TO PARCEL 4: (Blackberry Rd)

10. Setback lines, easements, rights of way and all terms and conditions set forth on the plat recorded in Map Book 4, page 180.
11. Easement granted to Henry County PSA by instrument dated March 1, 1979, recorded in Deed Book 301, page 447.



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## SCHEDULE B – PART II CONTINUED

Title No. **PRO-22-4306W-73**

File No. **PRO-22-4306W-73**

12. Rights of others in and to the continued uninterrupted flow of Blackberry Creek.