



Fidelity National Title Insurance Company

TM #s 33 (03) P /17, 33 (03) P /20, 33 (03) P /19, 33 (03) P /06, 33 (03) P /08, 33 (03) P /10 & 33 (03) O /05

SCHEDULE A REVISION A

Title No. **PRO-22-4303W-53 to 59**

File No. **PRO-22-4303W-53 to 59**

1. Commitment Date: **June 14, 2022**
2. Policy or Policies to be issued: Amount of Insurance
 (a) ALTA Owner's Policy (6-17-06) **\$115,000.00**
 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-22-4303W-53 to 59**

File No. **PRO-22-4303W-53 to 59**

LEGAL DESCRIPTION

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

Parcel 1: 116 Ellsworth Street - TM #33 (03)P /17

All that certain lot or parcel of land situated on the West side of Maple Alley (now Ellsworth Street extended), in the City of Martinsville, Virginia, and being more particularly bounded and described as follows, to-wit:

"Beginning at an iron stake in the west line of said street or alley, 13 feet in the northern direction from an old corner maple; thence with what was Martin's line, North 75° West 149 feet to an iron stake in a back line; thence with said back line, North 20° East 50 feet to a post; thence with D. H. Pannill et als' line, South 75-1/4° East 150 feet to an iron stake in the west line of the aforesaid street; thence with the line of said street, South 20° West 51.1 feet to the point of beginning"..

Parcel 2: 110 Ellsworth Street - TM #33 (03)P /20

All of that certain lot or parcel of land lying on the West side of Ellsworth Street Extension, in the City of Martinsville, Virginia, and further described as follows, to-wit:

"Beginning at a stake on the Northeast corner of A. D. Witten lot on the west side of said street; thence with said Witten's lot, North 75-3/4° West 127 feet to a stake; thence North 11° East 49.5 feet to a stake; thence South 73° East 137 feet to said street; thence with the same a southerly direction 48.5 feet to the point of Beginning".

Parcel 3: 112 Ellsworth Street - TM #33 (03)P /19

All of that certain lot or parcel of land lying and being on the West side of Ellsworth Street, in the City of Martinsville, Virginia, as shown on a map of property belonging to J. F. Willis, as prepared by McGhee and McGhee, Surveyors, on September 10, 1946, and being more particularly bounded and described as follows, to-wit:

"Beginning at a point on the West side of Ellsworth Street, which point is South 19 degrees West 301.3 feet from the intersection of the South line of Brown Street with the West line of Ellsworth Street; thence leaving said Street, North 74 degrees 57 minutes West 128 feet to the back line of a lot fronting on the East side of Maple Street; thence with said back line, South 6 degrees 40 minutes West 55.46 feet; thence a new line, South 74 degrees 57 minutes East 116.3 feet to the west side of Ellsworth Street; thence with the west side of Ellsworth Street, North 19 degrees East 55 feet to the point of beginning".

Parcel 4: 111 Maple Street - TM #33 (03)P /06

All that certain lot or parcel of land lying on the easterly side of Maple Street in the City of Martinsville, Virginia, and more particularly described as follows:

Being all of Lot 10 of the Henry G. Mullens Estate Subdivision as shown on map prepared by T.S. Moore, CLS, on May 12, 1925, and recorded in the Henry County Circuit Clerk's Office in Map Book 2, page 108, and as shown on survey for Gary A. Hensley as prepared by J.A Gustin & Associates, PE & LS, dated March 26, 1991 (see Map Book 20, page 105, of the City of Martinsville Circuit Court Clerk' Office), having the address of 111 Maple Street under the current numbering system of the City of Martinsville, Virginia.

Parcel 5: 115 Maple Street - TM #33 (03)P /08



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SCHEDULE A CONTINUED

Title No. **PRO-22-4303W-53 to 59**

File No. **PRO-22-4303W-53 to 59**

All those certain lots or parcels of land situated on easterly side of Maple Street in the City of Martinsville, Virginia, and being part of Lot 37 and all of Lot 38 as shown on 'Map and Survey of Fifty Lots Belonging to George D. Gravely, Deceased' as recorded in the Henry County Circuit Court Clerk's Office in Deed Book 33, page 615, and as shown on survey for Janice Marie Lewis as prepared by J. A. Gustin & Associates, PE & LS, dated October 12, 1994," recorded in Plat Book 22, page 153 (Plat Cabinet B, Slide B-41) in the City of Martinsville Circuit Court Clerk's Office.

Parcel 6: 119 Maple Street - TM #33 (03)P /10

All that certain lot or parcel of land situated on the East side of Maple Street, City of Martinsville, Virginia, being known and designated as Lot 40, as shown on Plat of Survey for Timothy C. Brannan and Jackie A. Brannan, prepared by J.A. Gustin & Associates, PE & LLS, dated December 17, 1984, of record in the City of Martinsville Circuit Court Clerk's Office in Map Book 16, Page 155 (Plat Cabinet A-317).

Parcel 7: 114 Maple Street - - TM #33 (03)O /05

All that certain lot, piece or parcel of land situated in Martinsville, Virginia, designated as Lot #5, situated on the West Side of Maple Street, and more particularly described as follows: Beginning at an iron at a concrete wall on the westerly line of Maple Street; thence with Maple Street South 16 deg. 15' West 48.70 feet to an old iron pipe in a joint driveway; thence off with said driveway North 73. deg. 26' West 129.75 feet to an iron on a fence line; thence North 16 deg. 15' East 48.70 feet to an iron; thence South 73 deg. 26' East 129.75 feet to the point of beginning, according to a survey made by J. A. Gustin & Associates, CCE, dated November 30, 1965.



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SCHEDULE B I REQUIREMENTS

Title No. **PRO-22-4303W-53 to 59**

File No. **PRO-22-4303W-53 to 59**

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 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.



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SCHEDULE B – PART I CONTINUED

Title No. **PRO-22-4299W-36 to 41**

File No. **PRO-22-4299W-36 to 41**

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-22-44303W-53 to 59**

File No. **PRO-22-44303W-53 to 59**

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 4: (111 Maple Street)

4. Setback lines, easements, rights of way and all terms and conditions set forth on the plat of subdivision recorded in Map Book 20, Page 105.

AS TO PARCEL 5: (115 Maple Street)

5. Setback lines, easements, rights of way and all terms and conditions set forth on the plat of subdivision recorded in Map Book 22, Page 153.

AS TO PARCEL 6: (119 Maple Street)

6. Setback lines, easements, rights of way and all terms and conditions set forth on the plats recorded in Map Book 16, page 155.