



# Fidelity National Title Insurance Company

TM #s 32 (01 )N /30, 32 (01 )N /34, 32 (01 )L /03, 32 (01 )L /08, 27 (02 )00 /22, 25 (04 )00 /05 & 25 (04 )00 /10

## SCHEDULE A Revision A

Title No. **PRO-22-4304W-60 to 66**

File No. **PRO-22-4304W-60 to 66**

1. Commitment Date: **June 14, 2022**
2. Policy or Policies to be issued: Amount of Insurance
  - (a) ALTA Owner's Policy (6-17-06) **\$162,100.00**
  - Proposed Insured:
  - (b)
  - Proposed Insured:

**THE THEOFILOS G. BALABANIS TRUST FUND F/B/O THE GEORGE T. AND ELIZABETH P. BALABANIS CHARITABLE FOUNDATION**

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-22-4304W-60 to 66**

File No. **PRO-22-4304W-60 to 66**

### 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: 212 and 216 College Street - **TM #s 32 (01)N/30 & 32 (01)N /34**

All those two certain lots or parcels of land situated on the West and Northwest side of College Street, in the City of Martinsville, Virginia, as shown on Plat for A. W. Patterson and Lula P. Oakley, prepared by J. A. Trent, CLS, dated January 21, 1953, of record in the Clerk's office of the Circuit court of the City of Martinsville, Virginia in Map Book 3, page 48, and being bounded and described according to prior deeds as follows, to-wit:

#### **TM # 32 (01)N/30**

PARCEL 1: "Beginning on the West side of College Street, in the City of Martinsville, Virginia, at the Southeast corner of J. C. Minter's lot thence with the line of his lot in westerly direction to the depth of 220 feet; thence in a Southerly direction 94 feet; thence in an easterly direction 235 feet to College Street; thence with that said street in a Northerly direction 81 1/2 feet to the point of beginning, LESS that small triangular lot of land conveyed to Clarence C. Donovan, et als, by deed from A. W. Patterson, widower, dated November 9, 1950, and of record in the aforesaid Clerk's Office in Deed Book 22, page 140, said property being more particularly described as follows: BEGINNING at a point which is 42 deg. 46 min. 16 sec. East 132.18 feet from an iron, which iron is situated on the Easterly margin of Bridge Street and marks the dividing line between the property conveyed to the said Clarence C. Donovan, et al, by A. B. Via, and the property now owned by Via, and running off from said beginning point, which is 132.18 feet from Bridge Street, as aforesaid, North 25 deg. 18 min. 45 sec. East 4 feet to a point; thence South 64 deg. 41 min. 16 sec. East 25 feet to a stake; thence 46 deg. 24 min. 45 sec. West 71.82 feet to an iron stake in the Via property; thence North 25 deg. 18 min. 45 sec. East along the old fence row to the point of beginning, said property being also known as 212 College Street."

#### **TM #32 (01)N /34**

PARCEL 2: "BEGINNING at a copper nail in the sidewalk on the Northwest side of College Street, which point is at the dividing line between the property herein conveyed and the Oakley property; thence along said College Street, South 19 deg. 52 min. West 82 feet to a railroad spike in the sidewalk; thence along the dividing line between the property herein conveyed| and the Harry L. Nunn property North 73 deg. 08 min. West 149.90 feet to an iron; thence North 19 deg. 14 min. East 15.73 feet to an iron; thence North 67 deg. 05 min. West 100 feet to an iron at the dividing line between the rear line of the property herein conveyed and the C. D. Willis property, thence along said rear line North 17 deg. 34 min. East 109.36 feet to an iron; thence along the dividing line between the property herein conveyed and the Oakley property South 61 deg. 05 min. East 257.32 feet to a copper nail in sidewalk on the Northwest side of College Street and the point of beginning", said property also known as 216 College Street.

#### Parcel 2: 205 Broad Street - **TM #32 (01)L/03**

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

"BEGINNING at a corner of Mrs. Blanche Spencer's lot on Broad Street; thence with the East line of said Street, South 17 West 53 feet; thence South 73 East 143 feet to H. G. Mullin's line; thence with his line North 17 East 53-1/2 feet to a point where the lines of the said H. G. Mullin and Blanche Spencer intersect; thence with Blanche Spencer's line North 73 West 143 feet to the beginning.



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## SCHEDULE A CONTINUED

Title No. **PRO-22-4304W-60 to 66**

File No. **PRO-22-4304W-60 to 66**

**Parcel 3: 221 Broad Street - TM #32 (01)L/08**

"Beginning at a point on said street formed by the intersection of said street and Minter's line; thence in an easterly direction with said line 222.5 feet; thence in a southerly direction 50 feet; thence in a westerly direction and parallel with Minter's line 222.5 feet to Broad Street; thence with Broad Street in a northerly direction 50 feet to the point of beginning"..

**Parcel 4: 1414 Mountain Road - TM #27 (02)00/22**

All that certain lot or parcel of land lying on the West Side of Mountain Road, in the City of Martinsville, Virginia, and being known and designated as Lot 22, shown on the map of the property of Gabriel Manns as prepared by C.C. Meredith, C.L.S dated October 1947, and recorded in the City of Martinsville Circuit Court Clerk's Office of Map Book 1, Page 135 and being more particularly described as follows:

"Said lot fronting on the westerly side of Mountain Road 65 feet and running back between parallel lines 110 feet on the south side and with the north (line) of Belva Street 131.27 feet on the north side of (SIC-and) a rear width 61.35 feet".

**Parcel 5: 1111 Chatham Heights Rd - TM #25 (04)00/05**

All that certain lot or parcel of land situated in the City of Martinsville, Virginia, on the northwest side of Chatham Road and the southeast side of Banner Street, and being known and designated as Lot 5, Section 'A', of the Chatham Heights Subdivision as shown in Map Book 2, Page 33 of the Henry County Circuit Court Clerk's Office and further shown on 'Plat of Survey for Robert H. Eanes and Doris J. Eanes,' prepared by J. A. Gustin and Associates, CLS, dated September 19, 1979, recorded in the City of Martinsville Circuit Court Clerk's Office in current map book" (see Map Book 14, page 215, Slide Cabinet A-273).

**Parcel 6: 1121 Chatham Hts Rd TM #25 (04)00/10**

All that certain lot or parcel of land situated in the City of Martinsville, Virginia, on the West side of Chatham Heights Road (State Route No. 57), and being known and designated as Lot #10, Chatham Heights, of the T. M. Ford Subdivision, as shown on a map legended 'Map of T. M. Ford Subdivision', prepared by T. S. Moore, C.L.S., dated January 30, 1938, and of record in the Henry County Circuit Court Clerk's Office in Map Book 2, page 33; and further shown on a Record Plat for Wilbur L. Wright and Patricia A. Wright, prepared by J. A. Gustin and Associates, C.E. and L.S., dated June 28, 1965, ..." recorded in the City of Martinsville Circuit Court Clerk's Office in Map Book 15, page 168 (Cabinet A, Slide 293).



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## SCHEDULE B I REQUIREMENTS

Title No. **PRO-22-4304W-60 to 66**

File No. **PRO-22-4304W-60 to 66**

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.



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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**

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.

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-22-44304W-60 to 66**

File No. **PRO-22-44304W-60 to 66**

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: (212 and 216 College Street)

4. Setback lines, easements, rights of way and all terms and conditions set forth on the plat of subdivision recorded in Map Book 3, Page 48.

AS TO PARCEL 3: (221 Broad Street)

5. Setback lines, easements, rights of way and all terms and conditions set forth on the plat of subdivision recorded in Map Book 3, Page 47.

AS TO PARCEL 4: (1414 Mountain Rd)

6. Setback lines, easements, rights of way and all terms and conditions set forth on the plats recorded in Map Book 1, page 135.

AS TO PARCEL 5: (1111 Chatham Heights Rd)

7. Setback lines, easements, rights of way and all terms and conditions set forth on the plats recorded in Map Book 2, page 33 (Henry County) and in Map Book 14, page 215 (City of Martinsville).

AS TO PARCEL 6: (1121 Chatham Heights Rd).

8. Setback lines, easements, rights of way and all terms and conditions set forth on the plats recorded in Map Book 2, page 33 (Henry County) and in Map Book 14, page 215 (City of Martinsville).