

[Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: David M. Moore, Attorney

Issuing Office: David M. Moore, Attorney

Issuing Office's ALTA® Registry ID: 974714159

Commitment Number: 25-

Issuing Office File Number: 25-

Property Address:

SCHEDULE A

COMMITMENT

1. Commitment Date: September 2, 2025
2. Policy to be issued:
 - a. 2021 ALTA® Owners Policy
Proposed Insured:
Proposed Amount of Insurance: \$ TBD
The estate or interest to be insured:
The estate or interest to be insured:
3. The estate or interest in the Land at the Commitment Date is: *(Identify each estate or interest covered, i.e., fee, leasehold, etc.) Fee*
4. The Title is, at the Commitment Date, vested in: Wilcox Industries, Inc.
5. The Land is described as follows:

See attached description

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ORT Form 4757 A

Schedule A – ALTA Commitment for Title Insurance 2021 v. 01.00

07/01/2021

SCHEDULE B I COMMITMENT

REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Payment of taxes, charges, and assessments levied and assessed against subject premises, which are due and payable.
 - a. Real Estate Taxes for 2024 are paid in full.
5. Owners/Sellers Affidavit covering matters of title in a form acceptable to the Company.
6. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Deed from
To: TBD

WILCOX INDUSTRIES, Inc. (Summers County)

1. **In Trust Deed Book 254 at Page 91**, there is of record an unreleased Credit Line Deed of Trust given by Wilcox Industries, Inc. to Charles M. Johnson, Jr., Trustee, dated August 2, 2010 securing Carter Bank & Trust in the amount of \$8,500,000.00. As this Deed of Trust is unreleased, it constitutes a lien against the property under examination.
2. There is of record in **Trust Deed Book 254 at Page 112, Trust Deed Book 254 at Page 135**, , unreleased UCC Financing Statements between Wilcox Industries, Inc., debtor and Carter Bank & Trust, secured party.
3. **In Trust Deed Book 307 at Page 145**, there is of record an unreleased First Modification to Deed of Trust given by Wilcox Industries, Inc., to Charles M. Johnson, Trustee, dated June 30, 2020 securing Carter Bank & Trust in the amount of \$40,000,000.00. As this Deed of Trust is unreleased, it constitutes a lien against the property under examination.

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SCHEDULE B II COMMITMENT

EXCEPTIONS FROM COVERAGE

Policy Number: 25-

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any encroachment, encumbrance, violation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortages in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
2. Any lien or right to a lien, for services, labor or material therefore or hereafter furnished, imposed by law and not shown in the public records.
3. Rights of parties in actual possession of all or any part of the premises, including, but not limited to, easements, claims of easements or encumbrances that are not shown in the public records.
4. The lien of real estate taxes or assessments imposed on the title by a governmental authority that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the public records.
 - a. 2025 Taxes constitute a lien,
5. Oil, gas, coal and other mineral interests together with the rights appurtenant thereto whether created by deed, lease, grant, reservation, severance, sufferance or exception.

WILCOX INDUSTRIES, Inc. (Summers County)

6. In Deed Book 94 at Page 384, an undivided one-half (1/2) interest in the mineral rights was conveyed unto Terrill G. Todd.
7. Real property taxes have been assessed and paid on the property under examination through the year 2023. **Taxes for the year 2024 have been sold and are therefore delinquent and must be redeemed.** Taxes for the year 2025 are assessed in the name of Wilcox Industries, Inc., Tax Ticket #s 9750 and 9751, Tax Map #s 2 and 5, Parcel #s 5 and 40, described as 194 acres and 5.32 acres (in the amounts of \$927.92 and \$12.10 (without calculation for interest or discount) and are **unpaid**. Taxes for the year 2026 constitute a lien, but are not payable until July 15, 2026.

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ORT Form 4757 B II

Schedule B II – ALTA Commitment 2021 v. 01.00

07/01/2021

EXHIBIT A

DESCRIPTION OF PROPERTY for AUCTION TRACT 8

All of that certain lot, tract or parcel of land together with the buildings and improvements thereon, easements, rights of way, and the appurtenances thereunto belonging, situate in Jumping Branch District, Summers County, West Virginia and more particularly described as follows:

FIRST:

BEGINNING at a $\frac{3}{4}$ " rebar (found) south side of a field on the point of a ridge near old chestnut stumps, the old patent corner to Moore and Beckley lot No. 10 on line of a tract of land owned by Susan B. Orders, found in Deed Book 170 at Page 240; thence partially with two tracts of land owned by Orders S 08-56-34 W 2539.65 feet to a large chestnut oak (found) corner to lot 10 on the south side of Double Lick Fork on one line of a tract of land owned by Susan B. Orders and corner to an 86 acre tract of land owned by Wyatt K. and Virginia Lee Hinton; thence leaving Orders and with Hinton for two lines N 41-29-26 W 933.78 feet to a $\frac{1}{2}$ " iron rod (set) in an old beech stump in the creek bed; thence continuing with Hinton S 81-09-33 W 1441.28 feet to a chestnut oak stump (found) beside a fence line in the corner of a field on top of a cliff corner to Hinton and a tract of land owned by Donald and Melba Meadows; thence leaving Hinton and with Meadows 143 acre tract N 30-04-01 W 1311.42 feet to a large white oak (found) in the edge of a field beside of a fence line on line with Meadows 143 acre tract and corner to Fred Ervin Sturgill N 33-37-51 E 956.30 feet to a point in a rock bar referenced by a $\frac{1}{2}$ " iron rod (set) which bears S 28-09-15 E 4.00 feet, said point being corner to a 55 acre tract of land owned by Susan B. and Robert B. Orders; thence continuing with Orders N 29-35-03 W 2898.60 feet to a birch (found) on the south side of a road below a rock ledge on Moore and Beckley patent line; thence leaving Orders and with the patent line S 58-47-22 E 4672.23 feet to the beginning, containing 193.74 acres, more or less, as shown on a plat entitled Plat Showing Survey for Wilcox Industries Situate on Freezeland Mountain Jumping Branch District, Summers County, West Virginia, Scale:1"=1000'. All bearing based on the meridian of 1996, having a declination of 7 degrees, 44 minutes west, and of record in the Office of the Clerk of the County Commission of Summers County, West Virginia in Deed Book 203 at Page 647.

And being a part of the same real property conveyed unto Wilcox Industries, Inc. by deed dated January 16, 2001 from Kenneth Gross, and being of record in the Office of the Clerk of the County Commission of Summers County in Deed Book 203 at Page 648.