



INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

ALTA COMMITMENT FORM

This Commitment is not complete without appropriate Schedules and corresponding Jacket unless otherwise agreed in writing.

Search through/
update required at
recording

SCHEDULE A

1. Commitment Date **03/17/2014** Time **08:00 AM** Comm. No. **201301072NR**

2. Policy (or Policies) to be issued:

(a) Owner's Policy N/A Policy Amount \$ **0.00**
Proposed Insured **JOHN SAMPLE, FEE SIMPLE AND BETH SAMPLE, LIFE ESTATE**

Describes which type of
policy you will receive

(b) Loan Policy **ALTA 2006** Policy Amount \$ **125,000.00**
Proposed Insured **YOUR BANK**
ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR

3. Fee simple interest in the land described in this **Commitment is owned, at the Commitment Date by:**

JOHN SAMPLE AND JANE SAMPLE, HUSBAND AND WIFE AND BETH SAMPLE, LIFE ESTATE

4. The land referred to in this Commitment is in the Commonwealth of VA County of **Chesterfield** and described as follows:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND LYING AND BEING IN CLOVER HILL DISTRICT, CHESTERFIELD COUNTY, VIRGINIA, AND DESIGNATED AS LOT 23, FORTUNE'S RIDGE, AS SHOWN ON PLAT OF SUBDIVISION ENTITLED "FORTUNE'S RIDGE," MADE BY J. K. TIMMONS & ASSOCIATES, INC., CONSULTING ENGINEERS,

Issued through the Office of:
West Virginia Bankers Title, LLC
1547 Tulip Lane
Fairmont, WV 26554
Tel. (877) 439-4910 Fax 877-451-8826
Email wvbt@titlesinsured.com

Jane Doe

Authorized Countersignature


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DATED NOVEMBER 7, 1978, RECORDED NOVEMBER 30, 1978, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF CHESTERFIELD COUNTY, VIRGINIA, IN PLAT BOOK 32, PAGES 67 AND 68, AND REFERENCE TO WHICH PLAT IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

BEING THE SAME REAL ESTATE CONVEYED TO JOHN SAMPLE AND JANE SAMPLE, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY WITH THE RIGHT OF SURVIVORSHIP AS AT COMMON LAW BY DEED FROM JOHN DOE DATED JUNE 17, 2009, RECORDED JUNE 20, 2009 IN THE CIRCUIT COURT, CLERK'S OFFICE, CHESTERFIELD COUNTY, VIRGINIA IN DEED BOOK 5856, PAGE 159. THE SAID BETH SAMPLE RESERVED A LIFE ESTATE INTEREST IN THE ABOVE MENTIONED DEED.



Describes where the life estate interest was reserved

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Deed and deed of trust
needs to read exactly as
shown in requirements 1
and 2

SCHEDULE B - SECTION I REQUIREMENTS

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured, must be signed, delivered and recorded.
- (d) 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.

1. Duly authorized and executed deed from Jane Sample, vesting fee simple title in John Sample.

2. Duly authorized and executed Deed of Trust by John Sample and Beth Sample in favor of Your Bank in the amount of \$125,000.00.

3. In order for this deed of trust to qualify for the refinance recording tax rate calculation, the Clerk of The Court requires the following information to appear on the first page of the deed of trust. Lender/closing agent is responsible for including the information on the instrument.

This Refinance Deed of Trust is being recorded pursuant to terms and conditions set forth in Virginia Code Section 58.1-803 (D). The original Deed of Trust is recorded in Deed Book 5856, Page 163.

4. The lender accepts a short form final mortgagee policy in this transaction. Please provide complete street address of the property on the final application for policy.

5. In order to issue final policy (a) Agency must obtain final title update; AND (b) settlement agent must provide all required documentation as

If short form policy
is requested

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noted in Commitment.

6. If this transaction meets the following criteria, you may qualify for a reduced premium:

- Title Insurance has been issued on the same property within the last 10 years.

If you meet this criterion, please contact the issuing Agent.

7. Forms/Affidavits specific to Investors Title: Seller/Borrower Affidavit; ITC Privacy Statement and Notice of Availability of Owner's Title Insurance

----- Liens -----

8. Cancellation and release of record of the property described herein from the lien of:

Deed of Trust from John Sample and Jane Sample, to Keith Smith, Trustee for Bank of America, N.A. dated 06/17/09, recorded 06/20/09, in the Clerk's Office, Circuit Court, Chesterfield County, Virginia, in Deed Book 5856, Page 163, in the amount of \$200,000.00, and any other obligations secured thereby and/or described therein.

NOTE: We must receive a copy of payoff letter and check OR a copy of the HUD1, from the disbursing party.

9. Cancellation and release of record of the property described herein from the lien of:

Deed of Trust from John Doe, to Jackie Miller, Trustee for SunTrust Mortgage dated 05/15/08, recorded 05/20/08, in the Clerk's Office, Circuit Court, Chesterfield County, Virginia, in Deed Book 3256, Page 2074, in the amount of \$150,000.00, and any other obligations secured thereby and/or described therein. -- Prior Owner --

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**NOTE: CERTIFICATE OF SATISFACTION RECORDED IN DEED BOOK 5142, PAGE 532
RELEASES INCORRECT DOCUMENT AND NEEDS TO BE CORRECTED AND RE-RECORDED.**

NOTE: We must receive a copy of payoff letter and check OR a copy of the HUD1, from the disbursing party.

10. Satisfaction and release of record the following judgment:

DEBTOR: John Sample (SS# XXX-XX-5236), 620 Moorefield Park Drive,
Richmond, VA 23236
PLAINTIFF: Chippenham Hospital
DATED: 08/14/08
DOCKETED: 08/15/08
JB/PAGE: 578/135
AMOUNT: \$2,000.00 plus interest and cost

Once property transfers into John's name
only this judgment attaches to the
property

11. Satisfaction and release of record the following judgment:

DEBTOR: J. Sampson Sample, 1532 Crossway Lane, Baltimore, MD 21201
PLAINTIFF: Chase Credit Card Services
DATED: 06/17/07
DOCKETED: 09/25/07
JB/PAGE: 452/432
AMOUNT: \$1,236.00 plus interest and cost

Can you prove this
is not our client/
Affidavit may be
acceptable

----- Taxes -----

12. Payment of taxes for the first half of 2014, if said taxes become due and payable prior to closing.

13. DELINQUENT TAXES: Payment of taxes for the second half of 2012 and the year of 2013, plus any penalties and interest which may accrue.

PLEASE VERIFY THE ABOVE INFORMATION WITH THE APPROPRIATE TAXING AUTHORITY BEFORE PAYING.

14. Payment of any stormwater/wastewater fees now due and payable.

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----- Trust -----

15. Provide to the Company a copy of the trust agreement and all amendments or modifications to said trust for which John Sample is trustee. The Company reserves the right to make such additional requirements as it may deem necessary upon review of said trust agreement and amendments or modifications and proof of status of said trust.

----- Power of Attorney -----

16. a. Furnish a copy of the power of attorney given by John Sample to Jaime Brown. Said power of attorney must be valid at the time of execution and delivery of the Deed of Bargain and Sale required herein and grant the power to execute and deliver said deed to the proposed insured.

b. The power of attorney must be recorded simultaneously with the instruments required herein, and special counsel must furnish all recordation information with the final certification of title.

c. The power of attorney must be reviewed and approved by Investors Title Insurance Company prior to closing.

NOTE: IF THE POWER OF ATTORNEY IS NOT RECENT AN EXECUTED ALIVE AND WELL AFFIDAVIT MUST BE SUBMITTED TO WEST VIRGINIA BANKERS TITLE, LLC.

----- Mobile Homes -----

17. If the Mobile or Manufactured Home is to be treated as "real property" (1) we must receive a copy of the title sent to the Department of Motor Vehicles with the words "Real Estate" written on it; and (2) we must receive either (a) the Manufactured Housing Affidavit (enclosed) or (b) satisfactory information from the certifying attorney as to the statements on said affidavit.

NOTE: Upon receipt of said Affidavit AND subject to the facts related therein,

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no mobile home exception will be made in the final Owner's Policy or Loan Policy; also, the Alta 7 Endorsement(s) will be attached to the final policy.

----- If Attorney is Closing -----

18. Receipt of Attorney's Final Certificate, along with all additional required documents, in order to issue a final policy or policies.

----- Corporations -----

19. We must be furnished with satisfactory evidence that John Sample Construction, Inc. is a corporation in good standing in the Commonwealth of Virginia; a copy of the articles of incorporation and bylaws, or a resolution of the Board of Directors authorizing the proposed transaction and identifying the individual authorized to execute the applicable documents; and a Shareholder resolution authorizing the transaction where the property constitutes all or substantially all of the corporation's assets. NOTE: Upon receipt and review of the above items, the Company may make additional requirements or exceptions.

----- LLC's -----

20. a) Complete copy of the filed Articles of Organization of Sample One, LLC, and all amendments thereto.

b) Operating Agreement together with all amendments thereto of Sample One, LLC, confirming the parties signing the instrument(s) required herein have full and complete authority to bind Sample One, LLC.

c) Current data inquiry from the State Corporation Commission showing Sample One, LLC, is in existence and has a status listing of active. Information can be obtained at <http://www.scc.virginia.gov/>

NOTE: Upon receipt and review of the said document, the Company may make additional requirements and/or exceptions.

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SCHEDULE B - SECTION II *EXCEPTIONS*

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. *Taxes for the first half of 2014, and subsequent years, not yet due and payable.*
2. *Easement granted to Chesapeake and Potomac Telephone Company, recorded in Deed Book 4963, page 478.*
3. *Easement granted to Virginia Electric and Power Company, recorded in Deed Book 2193, page 549.*
4. *Subject to matters shown on recorded plat in Plat Book 32 at Page 67 and 68 including the following located on the Land:*
 - a) *8' utility easement*
 - b) *20' drainage easement*
5. *Restrictions appearing of record in Deed Book 159 at Page 781, but this policy insures that said restrictions have not been violated and that a future violation thereof will not cause a forfeiture or reversion of Title. Deleting therefrom any restriction indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin.*

----- Water/Creeks -----
6. *Title to that portion of the Land lying below the mean high water mark of James River.*
7. *Riparian rights incident to the Land.*
8. *Rights of others thereto entitled in and to the continued uninterrupted flow*

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of creeks and/or branches, located on the Land.

9. *Rights, if any, of the property owners abutting the pond/lake in and to the waters of the pond/lake and in and to the bed thereof; also boating and fishing rights of property owners abutting the pond/lake or the stream of water leading thereto or therefrom.*

10. *Rights of others which may exist in and to that portion of the Land designated as swamp/marsh Land.*

----- NON-STANDARD -----

11. *Attention is directed to the fact that the property does not appear to abut a public road or highway. This policy does not insure title to any right of way or easement over adjoining or adjacent property to any such public road or highway.*

12. *Title to that portion of the Land within the bounds of the cemetery reserved in instrument recorded in Deed Book 159 at Page 1893, together with the rights of ingress and egress thereto.*

13. *Attention is directed to the definition of "Land" as set out in the Conditions and to the fact that this policy insures the Land described in Schedule A hereof and improvements affixed thereto which by law constitute real property, and not the title to any personal property, including mobile homes.*

14. *Title to that portion of the Land lying within the bounds of the railroad right of way of Norfolk and Western Railroad.*

15. *Any encroachments, 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, and encroachments onto the Land of existing improvements located on adjoining land. Paragraph 2 (c) of the Covered Risks is hereby deleted.*

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16. Subject to the life estate of Beth Sample.

17. Limited Any defect in or lien or encumbrance on the Title or other matter included in the Covered Risks that has been created or attached or has been filed or recorded in the Public Records prior to 05/02/95.

18. Exception is taken to the rights of Rebecca Henry as disclosed in that certain Option/Right of First Refusal, dated 01/13/2010, recorded at Deed Book 4562 Page 486.

The final loan policy will contain the following endorsements:
Alta 8.1-06; VA-141 and Alta 9-06

TAX INFORMATION: FOR INFORMATION ONLY AND SHOULD BE VERIFIED WITH APPROPRIATE TAXING AUTHORITY

Tax year 2014

PLEASE PUT MAP NO: 48620047820000000 ON THE FRONT OF THE DOCUMENT TO BE RECORDED.

Land \$100,000.00

Imp. \$500,000.00

Total \$600,000.00

Taxes are paid through the first half of 2012

amount of taxes last paid \$2200.80

taxes paid semi-annually

Taxes next due 06/2014

NOTE: REAL ESTATE TAXES ARE DELINQUENT FOR THE SECOND HALF OF 2012 AND THE YEAR OF 2013

If additional endorsements
are required please let us
know