

 First American Title™	ALTA Commitment for Title Insurance
Schedule A	ISSUED BY First American Title Insurance Company Issuing Agent: Coffey County Land Title 424 Neosho Burlington, KS 66839 Phone: (620)364-2440

ALTA® Universal ID: 0001151
Commitment No.: 223-286
Property Address: 12th Rd, Burlington, KS 66839

SCHEDULE A

1. Commitment Date: September 26, 2023 at 08:00 AM
2. Policy to be issued:
 - (a) ☒ ALTA® ALTA Own. Policy (06/17/06) Policy Proposed Policy Amount:
Proposed Insured:
TBD
 - (b) ☒ ALTA® ALTA Loan Policy (06/17/06) Policy Proposed Policy Amount:
Proposed Insured:
TBD
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. Title to the Fee Simple estate or interest in the Land is at the Commitment Date vested in:
Yvonne J. Holloway, or her successors in trust, as Trustee of the Yvonne J. Holloway Living Trust (an undivided ½ interest)
Linda M. Noel, as Trustee of the Ray Noel Revocable Trust, dated June 9, 2005 (an undivided ½ interest)
5. The Land is described as follows:
The Southwest Quarter (SW¼) of Section Twenty-one (21), Township Twenty-one (21), Range Fifteen (15), Coffey County, Kansas.

LESS the following described Tract:

That Part of the Southwest Quarter (SW¼) of Section Twenty-one (21), Township Twenty-one (21) South, Range Fifteen (15), East of the Sixth Principal Meridian, Coffey County, Kansas and being more particularly described as follows: Beginning at the Southwest Corner of said Section Twenty-one (21), A #4 Rebar found for Corner; thence Northerly North 01°08'38" West on the West Line of the Southwest Corner of said Section, 797.85 Feet, A #4 Rebar with Yellow Plastic Cap LS 763 found for Corner; thence Easterly North 88°46'06" East, 640.00 Feet, A #4 Rebar with Yellow Plastic Cap LS 763 found for Corner; thence Southerly South 01°08'35" East, 797.77 Feet to a Point of Intersection on the South Line of said Southwest Quarter (SW¼) of Section Twenty-one (21), A #4 Rebar found for Corner; thence Westerly South 88°45'40" West said South Line of the Southwest Quarter (SW¼) of Section Twenty-one (21), 639.98 Feet to the Point of Beginning, Coffey County, Kansas.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American 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.

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Schedule A
(Continued)

Commitment No.: 223-286

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Coffey County Land Title


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AMERICAN
LAND TITLE
ASSOCIATION



 First American Title™	ALTA Commitment for Title Insurance <small>ISSUED BY</small> First American Title Insurance Company
Schedule BI & BII	

Commitment No.: 223-286

**SCHEDULE B, PART I
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. 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.

TO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS:

1. A Trustees Deed executed by Yvonne J. Holloway, as Trustee of the Yvonne J. Holloway Trust, dated April 26, 1989 and restated June 22, 2006 (an undivided ½ interest) and Linda M. Noel, as Trustee of the Ray Noel Revocable Trust, dated June 9, 2005 (an undivided ½ interest) to TBD.
2. A New Loan if Needed.
3. An Affidavit of Non Production if the Oil & Gas Lease is no longer producing.

TO BE FILED IN THE DISTRICT COURT:
NONE.

WE NEED THE FOLLOWING DOCUMENTS FOR OUR FILES:

1. A Signed and Notarized Owners Affidavit.
2. A Copy of the Yvonne J. Holloway Revocable Trust, dated April 26, 1989 and restated June 22, 2006 and any amendments (copy in our file).
3. A Copy of the Ray Noel Revocable Trust, dated June 9, 2005 and any amendments (copy in our file).

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Schedule B
(Continued)

Commitment No.: 223-286

SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions 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 defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
7. The lien of the General Taxes for the 2023, and thereafter.
8. 2022 Taxes on Tract # 103520 were \$ 1,704.84 and are paid in full. (this includes the whole tract).
9. Notice of Lis Pendens filed by the United States of America as condemnation action for the land needed to build the John Redmond Dam and Reservoir Area and the necessary surrounding roads and utilities. Land is referred to as: Right-of-Way of varying widths in the W½ of Section 21, along the South Side of the Quarter, dated December 12, 1960, filed January 6, 1961 at 08:45 A.M. and recorded in Book 122, Deeds, pages 14-16 in the Office of the Register of Deeds of Coffey County, Kansas.
10. A General Grant and Quitclaim of Easements for Relocated Roads Right-of-Way, with Flowage Easement Reserved, filed by the United States of America, Department of the Army, and covers land adjacent to the John Redmond Dam and Reservoir Area, dated December 3, 1963, filed September 21, 1964 at 04:30 P.M. and recorded in Book 122, Deeds, pages 558-575 in the Office of the Register of Deeds of Coffey County, Kansas.
11. An Easement by Phyllia E. Noel to the United Telephone Company of Kansas, Inc., dated November 21, 1969, filed November 21, 1969 at 08:45 A.M. and recorded in Book N, Misc., page 449 in the Office of the Register of Deeds of Coffey County, Kansas.
12. A Right-of-Way Easement by Phyllis E. Noel to Kansas Gas and Electric Company, dated March 7, 1974, filed March 14, 1974 at 11:45 A.M. and recorded in Book R, Misc., page 3 in the Office of the Register of Deeds of Coffey County, Kansas.

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Schedule B
(Continued)

Commitment No.: 223-286

13. A Right-of-Way Easement by Phyllis Sowder, a/k/a Phyllis Noel to the City of Burlington, dated December 1, 1995, filed December 22, 1995 at 11:40 A.M. and recorded in Book PP, Misc., page 496 in the Office of the Register of Deeds of Coffey County, Kansas.
14. A Memorandum of Tower Lease Agreement executed by and between American Tower, Inc and Liberty Cellular, Inc., dated December 19, 2000, filed September 18, 2001 at 02:45 P.M. and recorded in Book VV, Misc., pages 549-555 in the Office of the Register of Deeds of Coffey County, Kansas.
15. A Memorandum of Tower Lease Agreement executed by and between American Tower, Inc and Liberty Cellular, Inc., dated December 19, 2000, filed December 3, 2008 at 04:15:29 P.M. and recorded in Book 3D, Misc., pages 67-73 in the Office of the Register of Deeds of Coffey County, Kansas.
16. A Certificate of Lot Split Approval by Heidi Harris to Coffey County, Kansas, dated March 14, 2018, filed March 23, 2018 at 11:00 A.M. and recorded in Book 3O, Misc., pages 298-299 in the Office of the Register of Deeds of Coffey County, Kansas.
17. A Survey by Tim Sloan, dated June of 1999, filed January 6, 2000 at 02:25 P.M. and recorded in Book TT, Misc., page 504 in the Office of the Register of Deeds of Coffey County, Kansas.
18. An Oil & Gas Lease by Phyllis E. Noel Sowder and Leroy Sowder, her husband to MAR Oil & Gas Corp., dated March 12, 1991, filed March 20, 1991 at 02:00 P.M. and recorded in Book 31, O&G, pages 249-250 in the Office of the Register of Deeds of Coffey County, Kansas.

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