

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

Issuing Agent: **Morris County Title Co.**

Issuing Office: **223 West Main Street, Council Grove KS 66846**

Issuing Office's ALTA® Registry ID: **1102617**

Commitment Number: **2024-1**

Issuing Office File Number: **2024-1**

Property Address: **251 P Avenue, Council Grove, KS 66846**

Revision Number: **First (preliminary)**

SCHEDULE A

COMMITMENT

1. Commitment Date: **December 28, 2023 at 8:00 AM**
2. Policy to be issued:
 - a. ALTA 2021 Owner's Policy
Proposed Insured: **Purchaser with Contractual Rights following auction of Land described on Schedule A herein**
Proposed Amount of Insurance: **TBD** Premium: **TBD**
The estate or interest to be insured: **Fee Simple**
 - b. ALTA 2021 Loan Policy
Proposed Insured: **TBD**
Proposed Amount of Insurance: **TBD** Premium: **TBD**
The estate or interest to be insured: **Fee Simple**
3. The estate or interest in the Land at the Commitment Date is: **Fee Simple**
4. The Title is, at the Commitment Date, vested in: **Ronald D. Wessel and Charlotte A. Wessel, Trustees of the Ronald D. Wessel and Charlotte A. Wessel Trust dated June 14, 2007** and, as disclosed in the Public Records, has been since **June 18, 2007**
5. The Land is described as follows:
The Northwest Quarter (NW 1/4) of Section Thirty-five (35), Township Fifteen (15) South, Range (9) East of the 6th P.M., Morris County, Kansas. (SURFACE RIGHTS ONLY)

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.

ORT Form 4757KS 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. 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. A Warranty Deed or Trustee's Deed sufficient to convey the fee simple estate or interest in the land described or referred to herein, to the proposed insured shown in Schedule A be recorded. The marital status of the Grantor must be stated and if he/she is married, such spouse must join in the conveyance. A completed Sales Validation Questionnaire must also be provided.
 - b. For the Ronald D. Wessel and Charlotte A. Wessel Trust, record a trust certification setting forth the identity of Trustees and authority of such Trustees to convey the subject real estate. If such certification sets forth that the current spouse or surviving spouse did not join in the deed from the Settlor to the Trustee, the current spouse or surviving spouse must join in as a Grantor from the Trustee to the proposed insured OR satisfactory evidence must be provided that the Settlor's current spouse or surviving spouse executed a written, acknowledged consent to the Trust.
 - c. ****THIS EXAMINER RESERVES THE RIGHT TO MAKE FURTHER REQUIREMENTS upon review of a signed contract following the auction.****
5. Present owner(s) must sign and return the Seller's / Owner's Affidavit provided with this commitment.

NOTE: Records of the Morris County Treasurer show the first half of the real estate taxes assessed to the property for the year 2023 as paid. The second half of the 2023 taxes are due, but not delinquent. The 2023 taxes total \$703.50 (ID# 02261 / Statement # 6036).

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SCHEDULE B II COMMITMENT

EXCEPTIONS FROM COVERAGE

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 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. General taxes and special assessments for current and subsequent years not yet due.
3. All highways, roads, streets, alleys and easements that are dedicated to public use.
4. Any loss or damage resulting from any encroachment, violation, variation or adverse circumstance affecting the property that would be disclosed by an accurate and complete land survey or that could be ascertained by an inspection of the land.
5. All rights and claims of parties in possession.
6. Any lien or claim of liens for services, labor or materials arising by reason of any work of improvement now in progress or recently completed, imposed by law and not shown by public records.
7. Terms and conditions of a Contract between present owner(s) and proposed insured(s).
8. Rights or claims of easements not recorded in the public records.
9. There is no coverage for any mobile home, manufactured home, house trailer or mobile dwelling located on the land (if any).
10. Any and all oil, gas or other mineral rights or interests, including any and all instruments relating to such rights or interests.
11. A Right of Way Easement granted to Rural Water District No. 1, Morris County, Kansas, dated April 5, 2007, as recorded in Book 172, at Page 306.

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