



**FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

File No. PRO-17-2960W

1. Effective Date:

2. Policy or policies to be issued: Amount

- (a) ALTA Owner's Policy: (6-17-06)
- ALTA Homeowner's Policy

To Be Determined

Proposed Insured: To Be Determined

- (b) ALTA Loan Policy: (6-17-06)
- ALTA Short Form Residential Loan Policy: (6-17-06)
- Advantage Residential Loan Policy
- Advantage Express Loan Policy

Proposed Insured:

- (c) Other

Proposed Insured:

3. Title to the Fee Simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

Karen Dawn Bibbins and Maxime Weatherly, devisees under Will of James Kyle Weatherly, deceased

4. The land referred to in this Commitment is described as follows:

See Schedule A attached hereto and made a part hereof.

Property Address:

12058 Moneta Road
Moneta, Virginia 24121

Countersigned:

PROFESSIONAL TITLE ASSOCIATES
3130 Chaparral Drive, Suite B-100
Roanoke, VA 24018
(540) 725-1558

Authorized Officer or Agent

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B
Requirements

File No. PRO-17-2960W

The following are the requirements to be complied with:

Item(a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item(b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. Establishment of record of the date of death of Ailena H. Weatherly.
2. Establishment of record of the date of death and heirs of James David Weatherly.
3. General Warranty Deed from Karen Dawn Bibbins and Maxime Weatherly, devisees under Will of James Kyle Weatherly, deceased, vesting fee simple title in To Be Determined.
4. Receipt of properly executed Indemnity and Escrow Agreement for the estate of James Kyle Weatherly, deceased; OR
 - a) Receipt of Surety Bond satisfactory to the company in the amount of the net proceeds protecting this company against any debts or estate or inheritance taxes due by the Estate of James Kyle Weatherly, deceased, any appeal from the probate of the will of said deceased, discovery and probate of a later will and unmarketability of title to the insured premises by virtue of the fact that the company is or may be liable for debts or estate or inheritance taxes due by said estate, or subject to an appeal from the probate of the will of said decedent. OR
 - b) Upon receipt and review of estate asset information, the company may be willing to insure as to matters of the estate without escrow of net proceeds upon payment of an extra hazard premium and receipt of fully executed DECEDENT'S ESTATE INDEMNITY - UNSECURED (FNT019). The following information will need to be reviewed for consideration of waiver from escrow of the net proceeds:
 - i) net proceeds due the estate from the sale of property;
 - ii) all debts encumbered by the estate;
 - iii) amount of federal taxes due by the estate;
 - iv) certification the devisees are the same as the heirs would be.
5. Payment of all Federal and/or State Estate taxes, if any, due on the estate of James David Weatherly, deceased.
6. No recorded deed of trust or mortgage on the subject property 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 above real estate intended by the mortgagee, lender or noteholder to be paid with closing proceeds.
7. Payment of any rollback taxes due under Section 58.1-3237, Code of Virginia, as amended.
8. Receipt of satisfactory executed "Owners (sellers) Affidavit as to Mechanics' Liens and Possession."

Commitment – Schedule B Section 1

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B – SECTION 2
Exceptions

File No. PRO-17-2960W

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

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. Property is subject to agricultural use roll back taxes.
3. Easement granted Commonwealth of Virginia by Certificate of Take dated February 6, 1997 from James K. Weatherly and Ailena H. Weatherly, recorded as Instrument No. 960011130 and amended by Instrument No. 970002831.
4. Title to that portion of the Land lying within the bounds of County Road crossing the northeast corner of the Land as shown on the recorded plat of survey..
5. Rights of others thereto entitled in and to the continued uninterrupted flow of the spring branch.
6. 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.

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

Commitment – Schedule B Section 2

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

FIDELITY NATIONAL TITLE INSURANCE COMPANY
Schedule A
Legal Description

File No. PRO-17-2960W

Located in the County of Bedford, State of Virginia:

All that certain tract or parcel of land situate in Lakes Magisterial District, Bedford County, Virginia, lying at the intersection of the Morgan's Church Road (State Secondary Route No. 805) and State Primary Highway No. 122, containing 38.28 acres as shown on a certain Plat of a Survey thereof made by S. S. Lynn dated August 1945, of record in the Clerk's Office of the Circuit Court of Bedford County, Virginia in Plat Book 3, at Page 232.

LESS AND EXCEPT that certain parcel of land as described in Certificate of Take recorded in the aforesaid Clerk's Office as Instrument No. 960011130 and amended by Instrument No. 970002831.

Commitment – Schedule A

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached