



○ IP FOR
● IP SET
— CREEK

Δ CALCULATED POINT

Tax#: 27-29
Gary E. Brooks
Instr#: 010007760
Zoned: A1

Tax#: 27B(2)2A
 Botetourt County
 Instr#: 170000364
 Zoned: A1

(B)

Tax#: 27B(2)2B
 Botetourt County
 Instr#: 170000364
 Zoned: A1

27B(2)2C
urt County
170000364
ned: A1 Just

(D)

Tax#: 27B(2)2
Botetourt County
Instr#: 170000364
Zoned: A1

⑤
Tax#: 278(1)F
Justice Farms of North Carolina
Instr#: 150004648
Zoned: A1

NARROW PASSAGE ROAD
ROUTE #43

Tax#: 27B(1)D
Robert H. Simmons, B
Instr#: 040006946
Zoned: A1
8.546 Acres

Mean Low Water
Level Of The
"James River"

3,233 Acres Owned By CSX Railroad
Going To Tax: 278(1)D

Curve:
Radius: 234.26'
Arc: 267.83'
Chd. Br: 253.48'
Chd. Br: N113°13'32"

Curve:

140.85'
N75°17'00"
170.97'

137.96'

"Sheet"

Cemetery

Bin

E

VER

ROBERT H. SIMMONS, ET AL

CSX RAILROAD

AND A RESURVEY PLAT FOR
ROBERT H. SIMMONS, ET AL

PROPERTY LOCATED AT
15617 NARROW PASSAGE ROAD

LOCATED IN THE
FINCASTLE MAGISTERIAL DISTRICT

BOTETOURT COUNTY, VIRGINIA

SCALE: 1" = 150'

DATE: MARCH 4, 2025

DISK FILE: R:2021\2021119EggleRockRRFinal

THE OFFICE OF
**PIERSON ENGINEERING &
SURVEYING, INC.**
P.O. BOX 311
DALEVILLE, VIRGINIA 24053
PH. 540-966-3027
rpierson@bnet.com

JAMES RIVER

Tax#: 27B(1)D
Robert H. Simmons, ET
Instr#: 040006946
Zoned: A1
19.943 Acres
Gaining 3.233 Acres
and 5.20 Acres
From CSX Railroad
Now 28.376 Acres

Mean Low Water Level Of The "James River"

A vicinity map showing the study area (hatched area) located on the border of Patterson Twp. and James St. The map includes the following roads and landmarks:

- Craig Creek Rd. Rte. 615**: Located to the north of the study area.
- Bessemer Rte. 686**: Located to the east of the study area.
- Eagles Nest Dr. Rte. 686**: Located to the east of Bessemer Rte.
- Boothout Rd. Rte. 220**: Located to the southeast of the study area.
- Narrow Passage Rd. Rte. 43**: Located to the south of the study area.
- Church St. Rte. 43**: Located to the southwest of the study area.
- James St. Rte. 870**: Located to the west of the study area.
- Patterson Twp. Rte. 683**: Located to the northwest of the study area.

A north arrow is located in the upper right corner, and a scale bar labeled "SCALE: NONE" is in the lower left corner. The word "VICINITY MAP" is written vertically on the left side.

First American Title Insurance Company
SCHEDULE A

Commitment Number: M-3890

1. Effective Date: March 7, 2025

2. Policy or Policies to be Issued:

a. **ALTA Owner's Policy** Amount of Insurance: not to exceed **\$2,000,000.00**

☒ **ALTA 2021 Policy** (Form 1402.06, 6/17/06)

☐ **EAGLE Protection Owner's Policy** (Form 1490, 6/98)
(The Company's maximum dollar of liability for those covered risks in Paragraphs 14, 15, 16, and 18 of the EAGLE Protection Owner's Policy to be issued herein are attached hereto as an Exhibit.)

Proposed Insured: TBD

b. **ALTA Loan Policy** Amount of Insurance: \$

☐ **ALTA 2021 Policy** (Form 1056.06, 6/17/06)

☐ **EAGLE Protection Loan Policy** (Form 1056.EAGLE-M)

Proposed Insured: _____, its Successors and/or Assigns, as their interests may appear.

3. The estate or interest in the land described or referred to in this Commitment and covered herein is fee simple and title hereto is at the effective date hereof vested in:

JUSTICE FARMS OF NORTH CAROLINA, LLC

4. The land referred to in this Commitment is as described on the attached legal description.

Entity: Mountain Title, LC, P.O. Box 38, Warm Springs, VA 24484

By:  _____, Authorized Signatory

First American Title Insurance Company
LEGAL DESCRIPTION

Commitment Number: M-3890

All those two (2) certain tracts or parcels of real property, situate in Botetourt County, Virginia, and more particularly, to-wit:

Tract One: That certain parcel, containing 4.01 acres, more or less, and being the residue of a certain 4.4 tract conveyed unto Eagle Grain Company by The Chesapeake and Ohio Railway Company by Deed, dated May 24, 1984, and of record in Botetourt County Deed Book 298, at page 557, wherein the parcel is described by metes and bounds, less and except a certain 0.39 acre tract conveyed by Eagle Grain Company unto Westvaco Corporation by Deed, dated February 20, 1985, and of record in Deed Book 302, at page 174.

Tract Two: That certain parcel, containing 0.39 acres, more or less, conveyed unto Eagle Grain Company by Westvaco Corporation by Deed, dated February 4, 1985, and of record in Deed Book 301, at page 778, with a plat thereof at page 781.

The two 0.39 acre parcels – the exception in the Tract One description and the Tract Two parcel are separate and distinct tracts. Reference is made to a certain plat in Deed Book 301, at page 779 showing both 0.39 acre tracts.

And being the same two (2) tracts conveyed unto Justic Farms of North Carolina, LLC, by James C. Justice, II by Deed, dated December 21, 2015, and of record as Botetourt County Instrument No. 150004648.

(Tax numbers and address for informational purposes only and not an insuring provision)

First American Title Insurance Company
SCHEDULE B - SECTION I

Commitment Number: M-3890

The following are the requirements to be complied with:

1. Payment to or for the account of the grantor(s) or mortgagor(s) of the full consideration for the estate or interest to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Provide a survey acceptable or First American Affidavit to First American Title Insurance Company or Exception 2 will remain on Owner's Title Policy.
5. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

Deed from Justice Farms of North Carolina, LLC vesting title to TBD.
6. Receipt of properly executed First American Title Insurance Owners Affidavit.
7. Receipt of appropriate Certificate from the Virginia State Corporation Commission evidencing the valid formation of Justice Farms of North Carolina, LLC, a Virginia limited liability Company.

Receipt of an Affidavit signed by all members of the aforesaid limited liability company certifying that (a) they are the only members at the date of execution and delivery of the instrument(s) required herein; (b) that said company has not been dissolved by any voluntary act; and (c) that execution and delivery of the Instruments required in the transaction to be insured is in accordance with all operative terms of the Operating Agreement of said Company. In the event that all members are not executing the instruments required herein, the aforesaid Affidavit must recite the appropriate sections of the Operating Agreement for the company which authorizes the specific member(s) to execute such instruments on behalf of the company and confirm each member's consent thereto.

First American Title Insurance Company
SCHEDULE B - SECTION II

Commitment Number: M-3890

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:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records. The coverage afforded by covered matter 2(c) is hereby deleted.
NOTE: As to issuance of the Eagle Protection Owner's Policy (Form 1490, 6/98), this exception does not limit the forced removal coverage in Item 12 of Covered Risks.
3. Any lien, or right to a lien, for service, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
NOTE: As to issuance of the Eagle Protection Owner's Policy (Form 1490, 6/98), this exception does not limit the coverage in Item 8 of Covered Risks.
4. Roads, ways, streams or easements, if any, not shown of record, riparian rights and the title to any filled-in lands.
5. 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 of record for value the estate or interest or mortgage thereon covered by this Commitment.

(Loan Policies - Exceptions 1, 2, 3, 4, & 5 will be deleted upon receipt of properly executed: First American Owners Affidavit, Final Certificate of certifying Attorney, and First American Survey Affidavit or a current survey.)
6. All assessments and taxes for 2025, due and payable November 1, 2025 to Botetourt County Treasurer and all subsequent years, (including supplemental taxes), a lien but not yet due and payable.