



First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

Schedule A

Issuing Agent:
Coffey County Land Title Co., Inc.
424 Neosho
Burlington, KS 66839
Phone: (620)364-2440

ALTA® Universal ID: 0029666
Commitment No.: 218-257
Property Address: 5th Rd, LeRoy, KS 66857

SCHEDULE A

1. Commitment Date: September 27, 2018 at 08:00 AM
2. Policy to be issued:
 - (a) ☒ ALTA® ALTA Own. Policy (06/17/06) Policy
Proposed Insured: TBD
Proposed Policy Amount: TBD
 - (b) ☒ ALTA® ALTA Loan Policy (06/17/06) Policy
Proposed Insured: TBD
Proposed Policy Amount: 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:
Randall R. West and Karon L. West, Trustees or their Successors in trust, under the Randall R. and Karon L. West Living Trust, dated September 7, 2006
5. The Land is described as follows:
The Southwest Quarter (SW¹/₄) of Section Thirty-four (34), in Township Twenty-two (22), of Range Seventeen (17), East of the Sixth Principal Meridian, Coffey County, Kansas, LESS that portion deeded for Highway Purposes.

AND
The South Half of the Northwest Quarter (S¹/₂ NW¹/₄) of Section Thirty-four (34), in Township Twenty-two (22), of Range Seventeen (17), East of the Sixth Principal Meridian, 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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AMERICAN
LAND TITLE
ASSOCIATION



Schedule A
(Continued)

Commitment No.: 218-257

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Coffey County Land Title Co., Inc.


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AMERICAN
LAND TITLE
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 First American Title™	ALTA Commitment for Title Insurance ISSUED BY First American Title Insurance Company
Schedule BI & BII	

Commitment No.: 218-257

**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 COFFEY COUNTY REGISTER OF DEEDS:

1. A Trustees Deed and Affidavit executed by Randall R. West and Karon L. West, Trustees or there Successors in trust, under the Randall R. and Karon L. West Living Trust, dated September 7, 2006 to T B D.
2. A new Mortgage if required.

TO BE FILED IN DISTRICT COURT:
NONE.

WE NEED THE FOLLOWING DOCUMENTS FOR OUR FILES:

1. A copy of the Randall R. and Karon L. West Living Trust, dated September 7, 2006 and any amendments.
2. A copy of the West Living Trust, dated April 12, 1990 and any amendments.

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Schedule B
(Continued)

Commitment No.: 218-257

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 year 2018, and thereafter.
8. 2017 taxes on Tract #107016 (includes other land) were \$4,316.14 and are paid in full.
9. Condemnation for Highway a 3.36 acre tract from the District Court of Coffey County, Kansas to the Kansas State Highway Commission, dated October 2, 1947, filed December 19, 1947 at 4:00 P.M. and recorded in Book K, Misc., page 591 in the Office of the Register of Deeds of Coffey County, Kansas.
10. Oil and Gas Lease executed by Robert L. West and Robert M. West, Individually and as Trustees, to Ed Birk and Brian Birk, for a period of 5 years, dated February 2, 2011, filed February 22, 2011 at 3:00 P.M. and recorded in Book 41, O&G, pages 175-176 in the Office of the Register of Deeds of Coffey County, Kansas.
11. Affidavit of Production executed by Edward Birk, a/k/a Edward E. Birk, a/k/a Eddie Birk, a/k/a Ed Birk, Brian Birk, a/k/a Brian L. Birk, Linda K. Birk, and Laura C. Birk, and Birk Oil Company, dated August 6, 2014, filed August 14, 2014 at 12:25 P.M. and recorded in Book 42, O&G, pages 284-289 in the Office of the Register of Deeds of Coffey County, Kansas.

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