

Cover page for:

Preliminary Title Insurance Schedules

Preliminary title insurance schedules prepared by:

Assurance Title Company, LLC

File Number: 19-416

Auction Tracts 1 & 2

(Noble County, Indiana)

For auction conducted on August 28, 2019 by:

Schrader Real Estate and Auction Company, Inc.

On behalf of:

J & G Holding Company, LLC and Eric A. Strater



Transaction Identification Data for reference only:

Issuing Agent: Assurance Title Company, LLC
Issuing Office: 102 E. Main St, Albion, IN 46701
ALTA Universal ID: 1125584
File Number: 19-416

SCHEDULE A

1. Commitment Date: **July 16, 2019, at 8:00 am**
2. Policy to be issued:
 - (a) 2006 ALTA® Owner's Policy
Proposed Insured: **Purchaser with contractual rights under a purchase agreement with the vested owner identified at Item 4 below**

Proposed Policy Amount: **To Be Determined**
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:

J & G Holding Company, LLC, an Indiana limited liability company and Eric A. Strater, as Tenants in Common
5. The Land is described as follows:

SEE ATTACHED EXHIBIT "A"

Assurance Title Company, LLC

By: *Jamie M. Kenzie*
Authorized Signatory

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity 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; and a counter-signature by the Company or its issuing agent that may be in electronic form.

27C165B

ALTA Commitment for Title Insurance 8-1-16

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EXHIBIT "A"

The Southwest Quarter of Section 30, Township 34 North, Range 10 East, containing 160 acres of land, more or less.

Excepting therefrom:

A part of the Southwest Quarter of Section 30, Township 34 North, Range 10 East, Noble County, Indiana, described as follows: Beginning North 00 degrees 21 minutes 26 seconds East 19.99 feet (along the West line of said Quarter Section) and South 89 degrees 38 minutes 34 seconds East 20.00 feet from the Southwest Corner of said Quarter Section, which point of beginning is at the intersection of the East boundary of S.R. 9 and the North boundary of County Road 100 N; thence North 00 degrees 21 minutes 26 seconds East 2,588.68 feet along the said East boundary to the South boundary of a County Road; thence South 89 degrees 32 minutes 00 seconds East 165.14 feet along the said South boundary; thence Southerly 86.48 feet along an arc to the right and having a radius of 27,641.97 feet and subtended by a long chord having a bearing of South 01 degree 17 minutes 37 seconds West and a length of 86.48 feet; thence South 01 degree 23 minutes 00 seconds West 479.79 feet; thence North 88 degrees 37 minutes 00 seconds West 40.00 feet; thence South 01 degree 23 minutes 00 seconds West 775.00 feet; thence South 23 degrees 11 minutes 05 seconds West 107.70 feet; thence South 01 degree 23 minutes 00 seconds West 400.00 feet; thence South 07 degrees 05 minutes 38 seconds West 100.50 feet; thence South 01 degree 23 minutes 00 seconds West 198.90 feet; thence Southerly 101.08 feet along an arc to the left and having a radius of 214,809.17 feet and subtended by a long chord having a bearing of South 01 degree 22 minutes 11 seconds West and a length of 101.08 feet; thence South 20 degrees 27 minutes 53 seconds East 107.67 feet; thence South 01 degree 00 minutes 33 seconds East 248.55 feet to the North boundary of County Road 100 N; thence North 89 degrees 36 minutes 45 seconds West 79.38 feet along the said North boundary to the point of beginning and containing 5.630 acres, more or less.

Also Excepting:

A part of the Northwest Quarter of the Southwest Quarter of Section 30, Township 34 North, Range 10 East, more fully described as follows, to-wit: Beginning at a point on the Quarter Section line that is 184 feet easterly from the Northwest Corner of the Southwest Quarter of said Section 30, and running South a distance of 20 feet to the South line of a public highway, this point being the Northeast corner of a parcel of land deeded by Kenneth E. Thomas and Frances J. Thomas, husband and wife, to the State of Indiana, by deed recorded in Deed Record 162 pages 92-5 in the Recorder's Office of Noble County, Indiana; thence Southerly (along the East line of said parcel) 86.48 feet along an arc to the right and having a radius of 27,641.97 feet and subtended by a long chord having a bearing of South 01 degrees 17 minutes 37 seconds West and a length of 86.48 feet; thence South 01 degree 23 minutes West (along said parcel) a distance of 38.52 feet; thence North 44 degrees 28 minutes east a distance of 179.6 feet to the South line of a public highway; thence North a distance of 20 feet to the North line of said Southwest Quarter; thence Westerly along said North line of Southwest Quarter a distance of 125 feet to the place of beginning, said parcel containing 0/236 acres.

Also Excepting:

A part of the Southwest Quarter of Section 30, Township 34 North, Range 10 East, Noble County, Indiana, described as follows: Commencing at the Southwest Corner of said Quarter Section; thence North 00 degrees 21 minutes 26 seconds East 19.99 feet along the West line of said Quarter Section; thence South 89 degrees 38 minutes 34 seconds East 20.00 feet; thence South 89 degrees 36 minutes 45 seconds East 79.38 feet along the Northern boundary, prolonged, of County Road 100N; thence North 01 degree 00 minutes 33 seconds West 248.55 feet to the point of beginning of this description: thence North 20 degrees 27 minutes 53 seconds West 107.67 feet; thence Northerly 101.08 feet along an arc to the right and having a radius of 214,809.17 feet and subtended by a long chord having a bearing of North 01 degree 22 minutes 11 seconds East and a length of 101.08 feet; thence North 01 degree 23 minutes 00 seconds East 198.90 feet; thence North 07 degrees 05 minutes 38 seconds East 100.50 feet; thence South 02 degrees 03

minutes 41 seconds East 500.82 feet to the point of beginning and containing 0.230 acres, more or less.

Also Excepting:

A part of the Northwest Quarter of the Southwest Quarter of Section 30, Township 34 North, Range 10 East, more fully described as follows, to-wit: Beginning at a point on the Quarter Section line that is 184 feet Easterly from the Northwest Corner of the Southwest Quarter of Section 30, and running South a distance of 20 feet to the South line of a public highway, this point being the Northeast Corner of a parcel of land deeded by Kenneth E. Thomas and Frances J. Thomas, husband and wife, to the State of Indiana by deed recorded in Deed Record 162, pages 92-93 in the Recorder's Office of Noble County, Indiana; thence Southerly (along the East line of said parcel) 86.48 feet along an arc to the right and having a radius of 27,641.97 feet and subtended by a long chord having a bearing of South 01 degree 17 minutes 37 seconds West and a length of 86.48 feet; thence South 01 degree 23 minutes West (along said parcel) a distance of 38.52 feet, and said point being the Southwest Corner of a tract of land deeded by Kenneth E. Thomas and Frances J. Thomas, husband and wife, to Noble County Rural Electric Membership Corporation by deed recorded in Deed Record 163, page 62 in the Recorder's Office of Noble County, Indiana, and which point is the place of beginning of the real estate conveyed by this deed; thence North 44 degrees 28 minutes East a distance of 179.6 feet to an iron rod set in the South line of a public highway; thence in a Southwesterly direction, on a straight line, to an iron rod located 90 feet East of the place of beginning; thence West 90 feet to the place of beginning. (Supposed to contain 0.129 of an acre, more or less)

Also Excepting:

A tract of land taken from Document #140900633 conveyed to J & C Holdings & Eric A. Strater (tenants in common) and being a part of Southwest Quarter of Section 30, Township 34 North, Range 10 East, Jefferson Township, Noble County, Indiana, more particularly described as follows: Beginning at a Harrison marker found monumenting the South Quarter corner of Section 30, Township 34 North, Range 10 East, Jefferson Township, Noble County, Indiana (said Harrison marker being South 89 degrees 37 minutes 49 seconds East a distance of 2519.52 feet from a brass pin found monumenting the Southwest corner of said Section 30); thence North 02 degrees 52 minutes 32 seconds East (assumed bearing and basis for this description, basis being on the Indiana East State Plane Coordinate System NAD 83 - Geoid 12A) on the East line of the Southwest Quarter of said Section 30, a distance of 1763.32 feet to a 5/8 inch rebar (capped Weber 20800107); thence South 89 degrees 44 minutes 08 seconds West, on a line parallel with and 893.66 feet Southerly of the North line of said Southwest Quarter; a distance of 1334.02 feet to a 5/8 inch rebar (capped Weber 20800107); thence South 03 degrees 09 minutes 47 seconds East a distance of 1750.20 feet to a Mag nail with washer (Weber 20800107) monumented on the South line of said Southwest Quarter, thence South 89 degrees 37 minutes 49 seconds East on said South line, a distance of 1149.00 feet to the point of beginning. Containing 50.00 acres.

Also Excepting:

A tract of land taken from Document #140900633 conveyed to J & G Holdings & Eric A Strater (Tenants in Common) and being a part of Southwest Quarter of Section 30, Township 34 North, Range 10 East, Jefferson Township, Noble County, Indiana, more particularly described as follows:

Commencing at a Harrison Marker found monumenting the South Quarter Corner of Section 30, Township 34 North, Range 10 East, Jefferson Township, Noble County, Indiana (said Harrison Marker being South 89 degrees 37 minutes 49 seconds East, a distance of 2519.52 feet from a Brass Pin found monumenting the Southwest Corner of said Section 30); thence North 02 degrees 52 minutes 32 seconds East (assumed bearing and basis for this description, basis being on the Indiana East State Plane Coordinate System, NAD 83 ~ Geoid 12A), on the East line of the Southwest Quarter of said Section 30, a distance of 1763.32 feet to a 5/8" Rebar (capped Weber 20800107) monumenting the POINT OF BEGINNING for this description; thence South 89 degrees 44 minutes 08 seconds West, on a line parallel with and 893.66 feet Southerly of the North line of said Southwest Quarter, a distance of 2469.18 feet to a 5/8" Rebar (capped Weber 20800107) monumented on the East line of a tract of land conveyed to the State of Indiana in

Deed Record 162, Pages 92 & 93; thence North 01 degrees 19 minutes 45 seconds East, on said East line, a distance of 308.79 feet to a point 1.3 feet Northerly of a Concrete Right-of-way Marker found; thence South 88 degrees 40 minutes 15 seconds East, on said East line, a distance of 40.00 feet to a point 1.2 feet Northerly of a Concrete Right-of-way Marker found; thence North 01 degrees 19 minutes 45 seconds East, on said East line, a distance of 441.27 feet to a 5/8" Rebar (capped Weber 20800107) found monumenting the Southwest Corner of a tract of land conveyed to Noble County REMC in Deed Record 211, Pages 40-41; thence North 89 degrees 44 minutes 08 seconds East, on the South line of said Noble County REMC tract (D.R. 211, Pages 40-41), a distance of 90.00 feet to a 5/8" Rebar (capped Weber 20800107) found monumenting the Southeast Corner of said Noble County REMC tract (D.R. 211, Pages 40-41); thence North 16 degrees 47 minutes 16 seconds East, on the East line of said Noble County REMC tract (D.R. 211, Pages 40-41), a distance of 130.75 feet to a 5/8" Rebar (capped Weber 20800107) found monumenting the Northeast Corner of said Noble County REMC tract (D.R. 211, Pages 40-41); thence North 00 degrees 16 minutes 04 seconds West, on the East line of a tract of land conveyed to Noble County REMC in Deed Record 163, Page 62, a distance of 20.00 feet to a 5/8" Rebar (capped Weber 20800107) found monumenting the Northeast Corner of said Noble REMC tract (D.R. 163, Page 62), also being on the North line of said Southwest Quarter; thence North 89 degrees 44 minutes 08 seconds East, on said North line, a distance of 2329.02 feet to an Angle Iron Post found monumenting the Center Corner of said Section 30; thence South 02 degrees 52 minutes 32 seconds West, on said East line of said Southwest Quarter, a distance of 895.00 feet to the Point of Beginning, containing 50.00 acres, more or less.

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.
5. By virtue of I.C.27-7-3.6, a fee of \$5 will be collected from the purchaser of the policy for each policy issued in conjunction with a closing occurring on or after July 1, 2006. The fee should be designated in the 1100 series of the HUD form as a TIEFF (Title Insurance Enforcement Fund Fee) charge.
6. If Assurance Title Company will be serving as the closing agent and this closing is held on or after July 1, 2009, funds must be provided to Assurance Title Company in compliance with IC 27-7-3.7, et seq.
7. Warranty Deed from J & G Holding Company, LLC, an Indiana limited liability company and Eric A. Strater, as Tenants in Common to Proposed Insured.
8. NOTE: Effective July 1, 1993, a Sales Disclosure Form must be filed with the County Auditor at the time of recording of most deeds and land contracts as required by IC 6-1.1-5.5. A fee of \$10.00 must be paid to the Auditor at the time of filing. Effective January 1, 2012, a \$5.00 Transfer Fee must be paid to the County Auditor at the time of filing of all deeds.
9. Vendors, (Sellers), Closing Affidavit to be furnished this office.
10. For each policy to be issued as identified in Schedule A, Item 2; the Company shall not be liable under this commitment until it receives a designation for a Proposed Insured, acceptable to the Company. As provided in Commitment Condition 4, the Company may amend this commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured.

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27C165B

ALTA Commitment for Title Insurance 8-1-16

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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 circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes for 2018 payable 2019
Parcel No. 012-100628-00
Tax Unit of Jefferson
State ID No. 57-12-30-300-001.000-008
May 10 \$672.32 PAID
November 11 \$672.32 NOT PAID
Assessed Valuation: Land \$92,400 Improvements \$4,100
Exemptions \$0
7. Annual assessment of \$25.00 for maintenance of Lewis Drain 2019,
May 10 \$12.50 PAID, November 11 \$12.50 NOT PAID.
8. Annual assessment of \$68.64 for maintenance of Summers Drain 2019,
May 10 \$34.32 PAID, November 11 \$34.32 NOT PAID.
9. Taxes for 2019 due and payable 2020, and subsequent taxes.

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10. The acreage in the legal description is shown for convenience only and should not be construed as insuring the quantity of land set forth in said description.
11. Rights of way for drainage tiles, feeders and laterals, if any.
12. Rights of the public, State of Indiana, County of Noble and the municipality in and to that part of the premises taken or used for road purposes.
13. Any governmental limitations or regulations respecting access to abutting roads, streets or highways.
14. Easement for electric lines by and between Kenneth E. Thomas and Frances J. Thomas, husband and wife and Noble County Rural Electric Membership Corporation, dated March 19, 1968, recorded March 23, 1968, in Miscellaneous Record 50 page 475, in the Office of the Recorder of Noble County, Indiana.
15. Easement by and between Edna E. Thomas and Indiana & Michigan Electric Company, dated June 13, 1957, recorded July 26, 1957, in Deed Record 135 page 175.

Note: The exact location of easement cannot be determined from the record.

16. Easement to Maintain Electric Transmission lines by and between Edna E. Thomas and Noble County Rural Electric Membership Corporation, dated June 6, 1949, recorded August 23, 1949, in Miscellaneous Record 21 page 71.
17. Easement for Tree Trimming and Poles by and between Sarah Earle Widow and Edna E. Thomas Widow and Noble County Rural Electric Membership Corporation, dated February 23, 1938, recorded June 11, 1938, in Miscellaneous Record 16 pages 666-667.
18. Easement for Electric lines by and between Sarah Earl, widow, Edna Earl Thomas and Morton P. Thomas her husband and Twin Branch Power Company, dated March 5, 1924, recorded March 29, 1924, in Deed Record 109 page 6. Along with a Supplemental Easement and Right of Way by and between J & G Holding Company LLC, an Indiana limited liability company, and Eric A. Strater, unmarried, as tenants in common and Indiana Michigan Power Company, an Indiana Corporation, dated March 17, 2017 and recorded April 26, 2017 and Instrument No. 170400463.

Note: The exact location of easement cannot be determined from the record.

19. Rights of tenants under unrecorded leases.
20. This commitment has been issued without a judgment search being made against the name insured.

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