



# CHICAGO TITLE INSURANCE COMPANY

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

Issuing Agent: Adams County Land Title  
 Issuing Office: 113 N. 2nd Street, Decatur, IN 46733  
 Issuing Office's ALTA® Registry ID:  
 Loan ID No.:  
 Commitment No.: 25818-2026-50  
 Issuing Office File No.: 25818-2026-50  
 Property Address: W US Hwy 224, Decatur, IN 46733  
 Revision No.:

### SCHEDULE A

1. Commitment Date: February 20, 2026 at 08:00 AM
2. Policy to be issued:
  - a.
 

Proposed Insured: TBD  
 Proposed Amount of Insurance:  
 The estate or interest to be insured: Fee Simple
  - b. TBD
 

Proposed Insured: , its successors and/or assigns as their respective interests may appear.  
 Proposed Amount of Insurance:  
 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: Heller Nursery Inc..
5. The Land is described as follows:

Situated in Section 36, Preble Township, Adams County, Indiana, more particularly described as follows:

Part of the Southwest quarter of the Southeast quarter of Section 36, Township 28 North, Range 13 East, laying between the South right of way line of the Chicago & Erie Railroad Company and the Public Road known as U.S. Route #224, being a rectangular parcel of ground 200' in width as measured Easterly along said Public Road and adjoining lands formerly conveyed to Hansel L. Foley and Mildred M. Foley, husband and wife, by instrument dated October 2, 1946, recorded December 13, 1946, in Deed Record Volume 116, page 460 of the Public Records of Adams County, Indiana, and containing approximately 1.27 acres more or less.

*This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Chicago 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.*

72C170 Sch. A

ALTA Commitment for Title Insurance (07-01-2021)

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**SCHEDULE A**

(Continued)

Commitment No.: 25818-2026-50

File No. 25818-2026-50

**CHICAGO TITLE INSURANCE COMPANY**

By:   
Adams County Land Title

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**SCHEDULE B, PART I - Requirements**

Commitment No.: 25818-2026-50

File No. 25818-2026-50

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.
1. NOTE: Any documents that require a preparation statement and are executed or acknowledged in Indiana must contain the following affirmation statement required by IC 36-2-11-15: I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. (Name)
2. NOTE: By virtue of IC 27-7-3.6, a fee of \$5.00 will be collected from the purchaser of the policy for each policy issued in conjunction with closings 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.
3. 24 MONTH CHAIN OF TITLE: Heller Nursery Inc. acquired title by virtue of a Quit Claim Deed dated June 17, 2013 and recorded July 18, 2013 as Document Number 2013002889 of the records of Adams County, Indiana.
4. Please be advised that our search did not disclose any open mortgages of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
5. We must be furnished with a copy of Certificate of Existence from the Secretary of State of Indiana, attesting to the current good standing of Heller Nursery, Inc.
6. We must be furnished with certified copies of proper corporate resolutions authorizing the sale of the premises, and setting forth the names of the individuals who are authorized to execute the deed.

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## SCHEDULE B

(Continued)

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### SCHEDULE B, PART II - Exceptions

**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. Rights or claims of parties in possession not shown by the public records.
3. 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.
4. Easements or claims of easements not shown by the public records.
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 or special assessments which are not shown as existing liens by public records.
7. 2024 Taxes due and payable in 2025, each installment in the amount of \$64.96, are assessed in the name(s) of Heller Nursery, Inc. May Installment - PAID; November Installment - PAID; Preble Township: Tax Code No. 01-01-36-400-011.000-012; Assessed Value: Land - \$5,400.00; Improvements - \$1,900.00; Exemptions - None.
8. Taxes for the year 2025 due and payable in 2026 are a lien not yet due and payable.  
  
Taxes for the year 2026 due and payable in 2027 are a lien not yet due and payable.
9. The acreage/square footage indicated in the legal description is solely for the purpose of identifying the said tract and should not be construed as insuring the quantity of land.
10. Rights of way for drainage tiles, ditches, feeders, and laterals, if any.
11. Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the land taken or used for road purposes.
12. NOTE: The insured real estate adjoins the Adams County Regional Sewer District. The proposed buyer may be required to make a connection to the sewer system if a residential home or a building which includes plumbing is constructed on the insured real estate. The proposed buyer will be responsible for all cost associated with making the required connection to the sewer system and will be responsible for monthly sewer utility charges assessed and charged by the district.
13. No UCC Search was performed at the State or County level.

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**SCHEDULE B**  
(Continued)

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14. NOTE: We do not insure against any loss or damages incurred on account of any part of the real estate or improvements that may be determined to lie in a flood zone.
15. The address shown on Schedule A is solely for the purpose of identifying said tract and should not be construed as insuring the address shown, if any, in the description of the land.
16. Judgment search has been made vs. Heller Nursery, Inc. and none found.
17. END OF SCHEDULE B

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