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070338RO
LLL

CHICAGO TITLE INSURANCE COMPANY

A corporation of California, herein called the Company

for a valuable consideration, hereby commits to issues its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

Rowland Title Company, Inc.

Revised Lender 02/21/2007 04:46 PM

DELETED LOT 16 02/23/2007 09:35 AM

3503 West Fox Ridge Lane
Muncie, IN 47304
Phone: (765) 288-1045
Fax: (765) 288-1968

SCHEDULE A

Policy or Policies to be Issued:

<u>Commitment No.</u>	<u>Effective Date:</u>	<u>ALTA 1998 Homeowner's Policy</u>	<u>ALTA Loan Policy (10-17-92)</u>
070338RO	02/10/2007 at 8:00 a.m.	\$57,500.00	\$0.00

Proposed Insured – LOAN:

NATIONAL CITY BANK, its successors and/or assigns as their interest may appear

Proposed Insured – OWNER'S:

TOMMY D. ADKINS, SR. and STEPHANIE LEE ADKINS, Husband and Wife

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

LARRY E. SPADE, Personal Representative of the Estate of Charles A. Spade, Deceased

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

Commonly known as: **610 HICKORY STREET, DUNKIRK, INDIANA 47536**

NOTE: The street address is shown for identification purposes and for convenience only. It should not be construed as insuring the accuracy of the street address as it relates to the insured premises.

Lot Numbers 46 and 47 in the Shady Side Addition to the Town, now City of Dunkirk, of the records of Blackford County, Indiana.



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Commitment No.: 070338RO

CHICAGO TITLE INSURANCE COMPANY
Requirements Page

The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors should be made.
2. Instruments necessary to create the estate or interest to be insured must be properly executed, duly entered for taxation, as appropriate, and duly recorded of record.
3. The Unsupervised Testate Estate of CHARLES A. SPADE, Deceased pending in the CIRCUIT COURT of BLACKFORD County Under Estate Number 05C01-0610-EU-19. The Personal Representative is LARRY E. SPADE.

George Lopez
A. PERSONAL REPRESENTATIVES Deed from LARRY E. SPADE, as Personal Representative of the Unsupervised Estate of CHARLES A. SPADE, Deceased to TOMMY D. ADKINS, SR. and STEPHANIE LEE ADKINS, Husband and Wife, prepared and executed in accordance with the requirements contained in this commitment.

B. We require that the conveyance from the personal representative of the Estate to TOMMY D. ADKINS, SR. and STEPHANIE LEE ADKINS, Husband and Wife recite that it is being executed by virtue of his power under Indiana law dealing with said Unsupervised Estate.

C. In the event the subject real estate is not sold during the course of administration of the estate, then a judgment search must be made versus the devisees of said decedent's will.

D. In the event the land is not sold by the personal representative as required above, exception will be made to debts, claims, death taxes, costs of administration and any proceedings had during the course of administration of the estate.

E. Mortgage from TOMMY D. ADKINS, SR. and STEPHANIE LEE ADKINS, Husband and Wife to NATIONAL CITY BANK for amount of policy duly executed and recorded.

4. It is contemplated that a 1998 Homeowner's Policy will be issued so long as Rowland Title Company receives an acceptable form of Residential Sellers Affidavit signed by an owner occupant of the property and that no other matter comes to the Title Company's attention which would prohibit the issuance of such a policy. If the property DOES NOT meet the qualifications for the 1998 Homeowner's Policy, an ALTA Owner's Policy (10-17-92) will be issued.

5. Payment of taxes and assessments as shown at Special Exception(s) 1-4, if any.

6. 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.

7. Pay Rowland Title Company the premiums, fees and charges for the policy.

8. Please notify Rowland Title Company in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. Rowland Title Company may then make additional requirements and exceptions.

9. Possible Municipal Assessments or impact fees levied by the CITY OF DUNKIRK.

10. Vendor's Affidavit satisfactory to CHICAGO TITLE INSURANCE COMPANY should be furnished.

11. Standard Mortgagor's Affidavit.

12. Update title insurance commitment the day of closing.

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NOTE: These requirements are suggested solutions only. There may be other ways of solving the issues raised in this commitment.

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Commitment No. 070338RO

CHICAGO TITLE INSURANCE COMPANY SCHEDULE B

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

- A. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable should be made.
B. 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 the Commitment.
C. Any Owner's Policy issued pursuant hereto will contain under Schedule B the General Exceptions set forth below. Any Loan Policy will contain under Schedule B General Exceptions 1, 2 and 3 unless a satisfactory survey is furnished; General Exception 4 will appear unless satisfactory evidence is furnished that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid.

General Exceptions:

- 1. Rights or Claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by any public records.
5. Taxes or special assessments which are not shown as existing liens by the public record.

Special Exceptions:

1. DELETED

2. Taxes for 2006 due and payable in 2007:

(SHADY SIDE LOT 46)

A. 1st Installment due May 10, 2007 ----- \$AMOUNT NOT YET AVAILABLE

NOTE: If total taxes do not add up to \$25.00, there will only be a spring installment due.

in the name of CHARLES A SPADE, Parcel No. 007-00074-00; Taxing Unit: SHADYSIDE-07. Value of land \$4000.00, value of improvements \$22200.00, Total Exemptions \$25580.00.

NOTE: The current exemptions, as shown, may not be applied to the succeeding tax years.

NOTE: The Full year tax amount for the 2005 pay 2006 taxes on the above set of real estate taxes were \$12.80

3. Taxes for 2006 due and payable in 2007:

(SHADY SIDE LOT 47)

- A. 1st Installment due May 10, 2007 ----- \$AMOUNT NOT YET AVAILABLE
B. 2nd Installment due November 10, 2007 --- \$AMOUNT NOT YET AVAILABLE

in the name of CHARLES A SPADE, Parcel No. 007-00075-00; Taxing Unit: SHADYSIDE-07. Value of land \$2000.00, value of improvements \$4700.00. Total Exemptions \$3350.00.

NOTE: The current exemptions, as shown, may not be applied to the succeeding tax years.

NOTE: The Full year tax amount for the 2005 pay 2006 taxes on the above set of real estate taxes were \$69.06.

4. Taxes for the year 2007 payable 2008, become a lien as of March 1, 2007, though the amount will not be determined until

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early in 2008, therefore, are not yet due and payable.

5. Rights of way for drainage tiles, ditches, feeders and laterals, if any.

6. Rights of the public, the State of Indiana, and County of BLACKFORD and the municipality and public utilities in and to that part of the premises taken or used for road and right of way purposes.

7. Covenants, conditions, restrictions, easements and building lines applicable to SHADY SIDE ADDITION TO THE CITY OF DUNKIRK, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

8. Judgment search has been made versus CHARLES A. SPADE, individually, and NONE FOUND.

9. Judgment search has been made versus TOMMY D. ADKINS, SR. and STEPHANIE LEE ADKINS, Husband and Wife, and not as individuals, and NONE FOUND.

NOTE: LAST DEED OF RECORD AND 24 MONTH CHAIN OF TITLE INFORMATION IS AS FOLLOWS:

CHARLES A. SPADE acquired title to subject real estate by a Deed dated OCTOBER 16, 2001 and recorded on NOVEMBER 1, 2001 as Instrument Nos. 2001-2824 & 2001-2825 of the records of BLACKFORD County, Indiana.

"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 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."

"Effective July 1, 2006, any documents requiring a preparation statement which are executed or acknowledged in Indiana must contain the following affirmation statement as 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. [Sign, Print or Type Name]."

Additionally, pursuant to IC 35-2-7.5-6, a \$2.00 fee for each recorded document must be collected and deposited into the "County Identification Protection Fee" fund. Said fee has been collected by the county recorder since the law's inception in 2005 and will continue to be collected until further notice."

- End of Schedule B -



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TICOR TITLE INSURANCE COMPANY(Members of the Fidelity National Financial, Inc. group of companies)
Fidelity National Financial Group of Companies' Privacy Statement

July 1, 2001

We recognize and respect the privacy expectation of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the Right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- From applications or other forms we receive from you or your authorized representative
- From your transactions with, or from the services being performed by us, our affiliates, or other;
- From our internet web sites;
- From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- From consumer or other reporting agencies

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- to agents, brokers or representatives to provide you with services you have requested;
- to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of some of our affiliated companies is to record documents in the public domain. Such documents may contain your Personal Information.

Rights to Access Your Personal Information and Ability To Correct Errors or Request changes or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Fidelity National Financial, Inc.
4050 Calle Real, Suite 220
Santa Barbara, CA 93110

Multiple Products or Services

If we provide you with more than one financial products or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.

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ROWLAND TITLE COMPANY INC.

PRIVACY POLICY NOTICE

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (the Privacy Act) generally prohibits any financial institution, including a land title and/or escrow company, directly or through its affiliates, from sharing nonpublic personal information about you with a non-affiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the (the Privacy Act) we are providing you with this document which notifies you of the privacy policies and practices of ROWLAND TITLE COMPANY.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to non-affiliated third parties as permitted by law.

We do NOT disclose information about our customers or former customers to other companies for marketing services.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic person information.