



**043053RM
BF**

TICOR 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 therefore; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

Rowland Title Company
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>	Judgment Date: <u>Effective Date:</u>	ALTA 1998 Homeowner's Policy	ALTA Loan Policy <u>(10-17-92)</u>
043053RM	12-21-2004 at 8:00 a.m.	\$35,500.00	\$0.00

Proposed Insured -- LOAN:

CASH

Proposed Insured -- OWNER'S:

MICHAEL W. FAUNCE and CATHERINE E. FAUNCE

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

ROBERT A. LEGRAND, Surviving Spouse of Martha H. LeGrand, Deceased

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

Commonly known as: **273 NORTH FOSTER AVENUE, ALBANY, INDIANA**

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.

Lots numbered 16, 18 and 20 in Block Numbered 17; ALSO, the East half of the alley, heretofore vacated, adjoining said lot 16 on the West; ALSO, all of the alley, heretofore vacated, adjoining Lots 18 and 20 on the West; ALSO, the North half of Franklin Street, heretofore vacated adjoining said Block 17 on the South, all in the Albany Land Company's Subdivision, an Addition to the town of Albany, the plat of which is recorded in Plat Book 1, Page 73 of the records of plats of Delaware County, Indiana.

**Commitment No.: 043053RM**

TICOR 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, delivered and duly filed for record.

A. WARRANTY Deed from ROBERT A. LEGRAND, Surviving Spouse of Martha H. LeGrand, Deceased to MICHAEL W. FAUNCE and CATHERINE E. FAUNCE.

DEED TO RECITE, IN ESSENCE, AS FOLLOWS:

The Undersigned hereby affirms, under the penalties of perjury, that ROBERT A. LEGRAND and the late MARTHA H. LEGRAND, were husband and wife when they acquired title to the described real estate by a Deed dated SEPTEMBER 4, 1984 and recorded SEPTEMBER 10, 1984 as Instrument No. 07065 of the Records of DELAWARE County, Indiana. Their marriage relationship remained unbroken until the death of MARTHA H. LEGRAND on _____, at which time ROBERT A. LEGRAND acquired title as surviving tenant by the entireties.

NOTE: If the foregoing statement is not true, contact Rowland Title immediately.

3. 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.
4. Payment of taxes and assessments as shown at Special Exception(s) 1-3, if any.
5. 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.
6. Pay Rowland Title Company the premiums, fees and charges for the policy.
7. 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.
8. Possible Municipal Assessments or impact fees levied by the TOWN OF ALBANY.
9. Vendor's Affidavit satisfactory to TICOR TITLE INSURANCE COMPANY should be furnished.
10. Update title insurance commitment the day of closing.

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



Commitment No. 043053RM

**TICOR 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. Taxes for 2003 due and payable in 2004:

(AL CO SUB & VAC FRANKLIN ST & 16, 18, 20)

- A. 1st Installment due June 18, 2004 - - - - - \$201.67 PAID
- B. 2nd Installment due November 10, 2004 - - - - - \$201.67 PAID

in the name of LEGRAND ROBERT A AND MARTHA H, Parcel No. 0801179009000; Taxing Unit: TOWN OF ALBANY-05. Value of land \$11800.00, value of improvements \$6100.00. Homestead Exemption \$0.00. Mortgage Exemption \$0.00.

NOTE: THE ABOVE REAL ESTATE TAX INFORMATION WAS TAKEN FROM THE TREASURER'S COMPUTER SYSTEM. SAID INFORMATION, WHILE BELIEVED TO BE ACCURATE, IS SUBJECT TO CHANGE WITHOUT NOTICE.

2. Taxes for the year 2004 payable 2005, such taxes are not yet due and payable.

3. Fee for Annual Maintenance of MISSISSINEWA for year 2004

1st Installment - - - - -\$10.00 PAID

Parcel No. 0801179009000

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

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

6. Covenants, conditions, restrictions, easements and building lines applicable to ALBANY LAND COMPANY'S

**Commitment No. 043053RM, Continued Page**

SUBDIVISION, the plat of which is recorded at Plat Book 1, Page 73, 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.

7. Judgment search has been made versus ROBERT A. LEGRAND AND MARTHA H. LEGRAND, individually, and NONE FOUND.

8. Judgment search has been made versus MICHAEL W. FAUNCE AND CATHERINE E. FAUNCE, individually, and NONE FOUND.

-- End of Schedule B --

**Rowland Title Company**3503 West Fox Ridge Lane, Muncie, IN 47304
ph. 765-288-1045 fax 765-288-1968**Statement
BF**

COMMITMENT NO. 043053RM

STATEMENT FOR TITLE WORK

PREPARED FOR: ERA/EAGLE REAL ESTATE
 ATTN: RYAN ORR
 ADDRESS: 4020 NORTH ROSEWOOD AVENUE, MUNCIE, INDIANA, 47304
 PHONE NO.: 765-741-9111
 FAX NO.: 765-288-2511
 ALSO FAX TO:
 ALSO FAX TO: PATRICK ORR 765-288-2511

OWNER'S NAME: ROBERT A. LEGRAND, Surviving Spouse of Martha H. LeGrand, Deceased
 BUYER'S NAME: MICHAEL W. FAUNCE and CATHERINE E. FAUNCE
 PROPERTY ADDRESS: 273 NORTH FOSTER AVENUE, ALBANY, INDIANA

OWNER'S AMOUNT	\$35,500.00		\$249.00
LENDER'S AMOUNT	\$0.00		\$0.00
HOMEOWNER'S POLICY		Amount	\$25.00
		Amount	\$0.00
		TOTAL	\$274.00

FAXED THIS DATE: December 30, 2004

THIS IS A STATEMENT FOR TITLE WORK. FINAL INVOICE COST WILL REFLECT CLOSING COSTS, RECORDINGS, AND OTHER ADDITIONAL CHARGES.

To schedule closings contact Sunshine at 288-1045

CHICAGO TITLE INSURANCE COMPANY
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.



**ROWLAND TITLE COMPANY OF MADISON COUNTY, LLC.
ROWLAND TITLE COMPANY OF DELAWARE COUNTY, LLC.**

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.