

## First American Title Insurance Company

Commitment Number: 98892

## SCHEDULE A

1. Commitment Date: November 7, 2011 at 08:00 AM
2. Policy (or Policies) to be issued: Amount
  - (a) Owner's Policy ( ALTA Own. Policy (10/17/92) )  
Proposed Insured:  
TO BE DETERMINED (IN AMOUNT TO BE DETERMINED)
  - (b) Loan Policy ( ALTA Loan Policy (10/17/92) )  
Proposed Insured:
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by  
Edward V. Eakin, Individually and Edward V. Eakin, Trustee of the Hugh Clemons Eakin, II, Trust,  
Residuary Trust established by Will of Virginia Frantz Eakin, filed for record in Will Book L, page 65, in  
the Loudon County Probate records..
4. The land referred to in the Commitment is described as follows:  
SEE EXHIBIT A ATTACHED HERETO

Tennessee Valley Title Insurance Co.

By: Tracey M. Axtell  
Tracey M. Axtell

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AMERICAN  
LAND TITLE  
ASSOCIATION

(98892.PFD/98892/17)

## First American Title Insurance Company

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**SCHEDULE B - SECTION I  
REQUIREMENTS**

The following requirements must be met:

1. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.
2. Payment of all premiums and charges for policies, endorsement and services.
3. Furnish a properly executed Owner's Affidavit on attached form.
4. Payment of Loudon County taxes as follows:  
  
CLT #028-063.00  
2010 Loudon County - Past due and delinquent in amount of \$2,023.00 November rate).  
2011 Loudon County - Due and payable in the amount of \$2,007.00.
5. Cancellation and release of record the Deed of Trust from Edward V. Eakin, individually and as the Trustee of the Hugh Clemons Eakin II Trust, Residuary Trust, to R. Scott Elmore, Trustee for American Trust Bank of East Tennessee, in the original amount of \$228,196.10, dated July 13, 2009, and recorded in Book 1033, page 843, in the Register's Office for Loudon County, Tennessee.
6. Cancellation and release of record the Deed of Trust from Edward V. Eakin, individually and as the Trustee of the Hugh Clemons Eakin II Trust, Residuary Trust, to R. Scott Elmore, Trustee for American Trust Bank of East Tennessee, in the original amount of \$200,000.00, dated April 26, 2010, and recorded in Book 1062, page 699, in the Register's Office for Loudon County, Tennessee.
7. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:
  - a. File of record a properly executed and acknowledged Deed from Edward V. Eakin, individually and Edward Vestal Eakin, Trustee of the Hugh Clemons Eakin II Trust, vesting fee simple title in purchaser to be determined.

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**SCHEDULE B - SECTION II  
EXCEPTIONS**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. 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 this Commitment.

2. The dower, curtesy, homestead, community property, or other statutory marital rights, if any, of the spouse of any individual insured.

3. Rights or claims of parties in possession not shown by the public records.

4. 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.

NOTE: Upon receipt of satisfactory Owner's Affidavit as required under Schedule B - Section 1, Items 3 and 4 hereinabove may be amended and/or deleted.

5. Taxes for the year 2012, a lien, but not yet due or payable, and all taxes for subsequent years.

6. Subject to Application for Greenbelt Assessment granted to Edward V. Eakin, Trustee, dated 2/14/2006 and recorded in Book T846, page 306, in the Loudon County Register of Deeds Office. (Covers tax parcel 063, map 028 and approximately 23.91 acres).

7. Subject to the rights of USA/TVA for flowage granted in an Easement Agreement between A.D. Galbraith et ux Nadine M. Galbraith and the USA, dated 3/2/1942 and recorded in Deed Book 43, page 122, in the Loudon County Register of Deeds Office.

8. Access to subject property is by means of a 12 ft. driveway extending across tax parcel 062, exact location unknown. Access is further subject to conditions contained in deed filed for record in Book 66, page 89, in the Loudon County Register of Deeds Office.

9. Matters depicted or disclosed on survey of Bruce McClellan, Tennessee RLS #696, of Trotter-McClellan, Inc., dated September 19, 2011, and bearing Drawing No. 11-071.

NOTE: This policy does not insure the exact square footage and/or acreage set out in the description in Schedule A hereof.

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**EXHIBIT A**  
**PROPERTY DESCRIPTION**

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

SITUATED in District No. Two (2) of Loudon County, Tennessee, and more particularly described as follows:

TO FIND THE POINT OF BEGINNING, begin at an existing iron pin located in the southern right of way of Beals Chapel Road, said iron pin being located in a southeasterly direction 1.66 miles, more or less, to Miller Road; thence leaving Beals Chapel Road, South 28 deg. 39 min. 08 sec. West, 1,361.48 feet to a 30 inch cedar, said cedar marking the POINT OF BEGINNING; thence from said point of beginning and with the line of property now or formerly owned by William B. Stokely III (Deed Book 153, page 610), South 62 deg. 16 min. 04 sec. East, 1,195.73 feet to a 4 x 4 wood post; thence South 29 deg. 10 min. 43 sec. West, 381.31 feet to a big nail in base of 10 inch dogwood located in the 815 contour line of Fort Loudon Lake; thence in a northwesterly and southwesterly direction along a cove the following meanders of the 815 contour line with a reference tie of North 52 deg. 27 min. 33 sec. West, 307.79 feet to an iron pin set; thence continuing with the meanders of the 815 contour line in a southerly direction and with a reference tie of South 25 deg. 21 min. 38 sec. West, 416.79 feet to an iron pin set; thence continuing with the meanderings of the 815 contour line and in a southwesterly direction, with a reference tie of South 44 deg. 51 min. 04 sec. West, 231.55 feet to an iron pin set; thence continuing with the meanderings of the 815 contour line in a northwesterly direction with a reference tie of North 46 deg. 25 min. 06 sec. West, 884.21 feet to an existing iron pin located in the line of property now or formerly owned by Jane M. McKinnon (Deed Book 210, page 277); thence with the line of McKinnon, North 29 deg. 12 min. 33 sec. East, 732.96 feet to a 30 inch cedar, said cedar marking the point of BEGINNING; containing 21.22 acres, more or less.

TOGETHER WITH a 12 foot right of way, lying six (6) feet on either side of the following described centerline: TO FIND THE POINT OF BEGINNING, begin at an existing iron pin located in the southern right of way line of Beals Chapel Road, said iron pin being located in a southeasterly direction 1.66 miles, more or less, to Miller Road; thence leaving Beals Chapel Road, South 28 deg. 39 min. 08 sec. West, 1,361.48 feet to a 30 inch cedar; thence South 29 deg. 12 min. 33 sec. West, 18.12 feet to the POINT OF BEGINNING; thence from said point of beginning, North 09 deg. 17 min. West, 23.97 feet to a point; thence North 30 deg. East, 245.95 feet to a point; thence North 29 deg. 16 min. East, 207.97 feet to a point; thence along a curve to the left, having a radius of 96.53 feet, and an arc distance of 30.49 feet and a chord bearing and distance of North 20 deg. 13 min. East, 30.36 feet to a point; thence along a curve to the right, having a radius of 292.35 feet, an arc distance of 99.04 feet, and a chord bearing and distance of North 20 deg. 52 min. East, 98.57 feet to a point; thence North 30 deg. 34 min. East, 44.05 feet to a point; thence North 31 deg. 51 min. East, 109.23 feet to a point; thence along a curve to the left, having a radius of 104.19 feet, an arc distance of 93.24 feet and a chord bearing and distance of North 06 deg. 13 min. East, 90.16 feet to a point; thence North 19 deg. 25 min. West, 107.07 feet to a point; thence along a curve to the right, having a radius of 139.23 feet, an arc distance of 106.20 feet and a chord bearing and distance of North 18 deg. 54 min. East, 172.63 feet to a point; thence North 57 deg. 12 min. East, 28.71 feet to a point; thence along a curve to the left, having a radius of 757.40 feet, an arc distance of 247.76 feet, and a chord bearing and distance of North 47 deg. 50 min. East, 246.66 feet to a point; thence North 38 deg. 28 min. East, 52.02 feet to a point in the southern right of way line of Beals Chapel Road, said iron pin marking the terminus of said right of way.

The foregoing descriptions prepared according to the survey of Bruce McClellan, Tennessee RLS #696, of Trotter-McClellan, Inc., 3329 W. Gov. John Sevier Hwy, Knoxville, TN 37920, dated September 19, 2011, and bearing Drawing No. 11-071.

BEING the same property devised to Edward Vestal Eakin, Trustee of the Residuary Trust of Virginia Frantz

**EXHIBIT A**  
(Continued)

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Eakin by Will of Virginia Frantz Eakin filed for record in Will Book L, page 65, in the Loudon County Probate records (file no. 1352). See also deeds filed for record in Warranty Book 54, page 495, Warranty Book 66, page 89, Warranty Book 303, page 808, all in the Loudon County Register of Deeds Office.