

First American Title Insurance Company

Commitment Number: 07-9674H

SCHEDULE A

1. Commitment Date: October 2, 2007 at 04:00 PM

2. Policy (or Policies) to be issued:

Policy Amount

(a) Owner's Policy (ALTA Own. Policy 10/17/92)
Proposed Insured:

(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:
FSG Bank, Successor Trustee of the Revocable Living Trust Agreement of Charlyne A. Epstein dated
February 3, 1998

4. The mortgage and assignments, if any, covered by the Commitment are described as follows:

5. The land referred to in the Commitment is described as follows:

LOCATED IN THE CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE:

Lying in the Southeast quarter of Section 24, Township 2 and Range 4 West of the basis line, Ocoee District; beginning at the Northwest corner of the Rogers Road and Germantown Road, said point being the Southeast corner of the original Mary Tate Tract; thence North 22.5 degrees; East (original bearing North 20.30 degrees) East along the West line of said Germantown Road 300 feet, more or less, to the Southeast corner of the tract of land conveyed by G. A. Smedley, widower, to Lillie A. Brockway, widow, by deed registered in Book W, Vol. 19, Page 529, of the Register's Office of Hamilton County, Tennessee; thence North 66.15 degrees; West along a fence with concrete posts, 325 1/2 feet more or less, to the East line of the Nettie Janes tract; thence South 22.22 degrees West (original bearing South 20.30 degrees) West along the East line of the Nettie Janes tract, 301 feet, more or less, to the North line of the Rogers Road; thence South 68.10 degrees, East (original bearing South 67.0 degrees) East along the North line of the Rogers Road 326 1/2 feet, more or less, to the beginning, and being part of the property conveyed and all of the property intended to be conveyed by Mary Tate to J. G. Burge by deed dated 21st October, 1930, and registered 22nd, October, 1930, in Book M, Vol. 25, Page 79, of said Register's Office, more commonly referred to as 501 N. Germantown Road, Chattanooga, Tennessee.

LESS AND EXCEPT: 1) Any part of said property lying within the right of way of Germantown Road or the right of way of Ridgeside Road (f/k/a Rogers Road) or any other right of way. 2) Any part of said property lying within the boundaries of Map Parcel Numbers 1471-K-030, 1471-K-028 or 1471-K-028.01.

For prior title and last instrument of record affecting the above described property, see deed recorded on January 23, 2004, in Book 7001, Page 496, in said Register's Office.

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**SCHEDULE B - SECTION I
REQUIREMENTS**

The following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- d. You must tell us 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. We may make additional requirements or exceptions relating to the interest or the loan.
- e. Affidavit must be executed by the grantors herein that there are no unpaid bills or claims for labor or services performed or materials furnished on the herein described property.
- f. Privacy Policy must be executed by the parties herein on the herein described property.
- g. This Company reserves the right to modify these requirements as it may deem necessary.
- h. Execution and recordation without intervening rights of a Warranty Deed from FSG Bank, Successor Trustee of the Revocable Living Trust Agreement of Charlyne A. Epstein dated February 3, 1998 to To Be Determined conveying the property under Schedule "A" herein.
- i. PROPERTY TAXES for Tennessee, are a lien, DUE AND PAYABLE, as of October 1st of each calendar year.
- j. TAXES for Hamilton County and City of Chattanooga for the year 2007 are a lien, NOW DUE AND PAYABLE. Tax Map Parcel # 147I-K-029, assessed in the amount of \$2,700.00. Amount Due: County \$85.00; Bill #18654; City \$59.45; Bill # 18749; Stormwater \$17.98; Bill # 18749.

Old Republic National Title Insurance Company

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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.

- a. Any discrepancies or conflicts in boundary lines, any shortages in area, or any encroachment or overlapping of improvements.
- b. Any facts, rights, interests or claims which are not shown by the public record but which could be ascertained by an accurate survey of the land or by making inquiry of persons in possession thereof.
- c. Easements, liens or encumbrances or claims thereof, which are not shown by the public record.
- d. Any lien or right to lien for services, labor or material imposed by law and not shown by the public record.
- e. All assessments and taxes due in 2007 and thereafter.
- f. The acreage stated in the legal description of the land is for description purposes only. The quantity of the land is not insured.
- g. Policy when issued will insure that said restrictions have not been violated to date so as to affect the validity or priority of the Deed of Trust/Security Deed to be shown on Schedule "A" thereof, that said restrictions do not contain a forfeiture or reversionary clause, and that a future violation thereof will not cause a forfeiture or reversion of title.
- h. Any Governmental zoning and subdivision ordinances and regulations in effect thereon.