

First American Title Insurance Company

Commitment Number: 95155

SCHEDULE A

1. Commitment Date: January 13, 2009 at 08:00 AM
2. Policy (or Policies) to be issued: Amount
 - (a) Owner's Policy (ALTA Own. Policy (06/17/06))
Proposed Insured:
TO BE DETERMINED (IN AMOUNT TO BE DETERMINED)
 - (b) Loan Policy (ALTA Loan Policy (06/17/06))
Proposed Insured:
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by BankEast.
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

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. Furnish an accurate, current survey and surveyor's inspection report on attached form.
5. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:
 - a. Properly executed and acknowledged Special Warranty Deed from BankEast, vesting fee simple title in purchaser to be named.

NOTE: 2009 Putnam County and Baxter City taxes have been paid as follows:

CLT #056OB-006.00.

2009 Putnam County - Paid in amount of \$1,068.00.

2009 Baxter City - Paid in amount of \$640.86.

6. NOTE: For informational purposes, the Clerk and Master's Office reflects delinquent PERSONAL property taxes for the tax years of 2005 and 2006 in the amount of \$3,286.35 (January rate). Personal property taxes are not a lien on the real property.

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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. Easements, or claims of easements, not shown by the public records.
5. Any discrepancies, conflicts, encroachments, servitudes, shortages in area and boundaries or other facts which a correct survey would show.
6. 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.
7. Taxes and/or assessments levied or assessed against the subject property pursuant to the provisions of TCA 67-5-601, et seq., which have not been assessed and are not payable, as of the date of this Policy.

NOTE: Upon receipt of satisfactory Owner's Affidavit as required under Schedule B - Section 1, Items 3 and 6 hereinabove may be amended and/or deleted.

NOTE: Upon receipt of satisfactory survey and surveyor's inspection report as required under Schedule B - Section 1, Items 4 and 5 hereinabove may be amended and/or deleted.

8. Taxes for the year 2010, a lien, but not yet due or payable, and all taxes for subsequent years.
9. Waterline easement and ingress and egress rights, conveyed to the Mayor and Alderman of the Town of Baxter, Tennessee, by Waterline Easement dated November 29, 1990, and recorded in Deed Book 315, page 329, in the Register's Office for Putnam County, Tennessee.
10. Rights of upper and lower riparian owners in and to the use of and the continued uninterrupted flow of Baxter Creek.

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EXHIBIT A
PROPERTY DESCRIPTION

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

SITUATED in the 20th Civil District of Putnam County, Tennessee, and more particularly described as follows:

TRACT NO. ONE: BEGINNING at a stake in the north edge of the old Baxter Road, the Donnie G. Maxwell (formerly David E. Maxwell) southwest corner on said road; running thence with the Maxwell line along the following calls: North 11 deg. 32 min. West, 69.42 feet to a stake; North 06 deg. 10 min. East, 46.06 feet to a stake; North 34 deg. 37 min. East, 61.05 feet to a stake in the west edge of the old Sparta and Carthage Road; running thence South 38 deg. 15 min. West with the west edge of the said Sparta Carthage Road 15 feet to a stake; running thence South 54 deg. 03 min. West, 185 feet, more or less, to a stake at Mine Lick Creek; running thence South 00 deg. 31 min. East, to a sarvis bush on the bank of said creek in the north edge of the old Baxter Road; running thence North 62 deg. 32 min. East, with the north edge of said Old Baxter Road, 159.83 feet to the point of BEGINNING.

TRACT NO. TWO: LYING in the Town of Baxter, Tennessee, and BEGINNING at the intersection of the west margin of First Street and the north margin of Main Street; thence westwardly with the north margin of Main Street 125 feet to a stake; thence northwardly to the center of the south end of a concrete block wall which separates the building on said property which wall divides the garage portion of said building on the west end from the service station portion of said building, which is in the easternmost portion of said building; thence northwardly with the center of said wall to the northernmost end of same; thence northeastwardly to a point in the west margin of First Street; thence southwardly with the west margin of First Street, 125 feet to the BEGINNING POINT.

THERE IS SPECIFICALLY LESS AND EXCEPTED from the above-described property that portion of property conveyed to the City of Baxter, Tennessee, by Warranty Deed from Donnie G. Maxwell and wife, Betty Carolyn Maxwell, dated October 1, 1990, and recorded in Deed Book 314, page 67, in the Register's Office for Putnam County, Tennessee.

BEING the same property conveyed to BankEast by Substitute Trustee's Deed from Wilson S. Ritchie, Substitute Trustee, dated February 19, 2009, and recorded in Record Book 512, page 208, in the Register's Office for Putnam County, Tennessee.