

**Remit Payment To:**

Independence County Abstract Co., Inc.  
150 South Broad Street, P.O. Box 2015  
Batesville, AR 72503

**INVOICE****Billed To:**

Wilson Real Estate Auctioneers, Inc.  
929 Airport Road  
Hot Springs, AR 71913

**Invoice Date:** February 5, 2020**Please Pay Before:** February 5, 2020**Our File Number:** 200107**Your Reference Number:****Property:**

300 Warbler Ln  
Batesville, AR 72501  
Independence County

**Brief Legal:** Tract 1: Pt SESE, 22-12-6, 22.54  
acres; Tract 2: Pt SESE 22-12-6,  
11.00 acres

DESCRIPTION	AMOUNT
To be determined title commitment	250.00

**Invoice Total Amount Due**      \$      **250.00**

**Deliver to Peter Guerin (for Kenneth & Rhonda Holmes)**

Commitment Number: 200107

PLEASE READ THE EXCEPTIONS AND TERMS SHOWN OR REFERRED TO HEREIN CAREFULLY. THE EXCEPTIONS ARE MEANT TO PROVIDE YOU WITH NOTICE OF MATTERS THAT ARE NOT COVERED UNDER THE TERMS OF THE TITLE INSURANCE POLICY AND SHOULD BE CAREFULLY CONSIDERED. THIS REPORT IS A WRITTEN REPRESENTATION AS TO THE CONDITION OF TITLE FOR PURPOSES OF PROVIDING TITLE INSURANCE AND LISTS ALL LIENS, DEFECTS AND ENCUMBRANCES AFFECTING TITLE TO THE LAND THAT IS FILED OF RECORD. NO TITLE INSURANCE AGENT OR ANY OTHER PERSON THAN A LICENSED ARKANSAS ATTORNEY MAY PROVIDE LEGAL ADVICE CONCERNING THE STATUS OF THE TITLE TO THE PROPERTY DESCRIBED IN THE TITLE COMMITMENT.

**SCHEDULE A**

1. Effective Date: February 4, 2020 at 08:00 AM
2. Policy or Policies to be issued: Amount
  - (a)   X   Owner's Policy ( ALTA (6/17/06) )  
Proposed Insured:  
To Be Determined (To be determined)
  - (b)        Loan Policy ( ALTA (6/17/06) )  
Proposed Insured:
3. The estate or interest in the land described or referred to in this Commitment is Fee Simple.
4. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:  
Tract 1: Kenneth W. Holmes and Rhonda K. Holmes, husband and wife,  
Tract 2: Kenneth Holmes and Rhonda Holmes, husband and wife
5. The land referred to in the Commitment is described as follows:  
SEE EXHIBIT A ATTACHED HERETO

Independence County Abstract Co., Inc.

By:                     

Agency License #109112245, Agent License #9858198

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AMERICAN  
LAND TITLE  
ASSOCIATION

(200107.PFD/200107/7)

Commitment Number: 200107

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

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

The following lands lying in the County of Independence and State of Arkansas, to-wit:

**Tract 1:**

A tract of land being a part of the SE1/4, SE1/4 in Section 22, Township 12 North, Range 6 West, in Independence County, Arkansas, more particularly described as follows: Beginning at the southeast corner of said Section 22; thence North 89 degrees 11 minutes 22 seconds West along the south line of said Section 22, 1221.56 feet to the centerline of a 50 feet road easement; thence along said centerline the following: North 31 degrees 22 minutes 36 seconds East, 208.05 feet; along a curve to the left said curve having a radius of 220.0 feet and a length of 124.24 feet; North 00 degrees 58 minutes 38 seconds West, 597.48 feet; thence South 89 degrees 05 minutes 18 seconds East, 1081.40 feet to the east line of said Section 22; thence South 00 degrees 38 minutes 04 seconds East, 893.45 feet to the Point of Beginning. Containing 22.54 acres, more or less, subject to any and all easements.

**Tract 2:**

A tract of land being a part of the Southeast Quarter, Southeast Quarter of Section 22, Township 12 North, Range 6 West in Independence County, Arkansas, more particularly described as follows: Beginning at the Northeast corner of said Southeast Quarter, Southeast Quarter; thence South 00 degrees 38 minutes 05 seconds East along the East line of said Southeast Quarter, Southeast Quarter, 425.00 feet; thence North 89 degrees 05 minutes 18 seconds West, 1081.40 feet to the centerline of a 50 feet road easement; thence along said centerline the following: North 00 degrees 58 minutes 38 seconds West, 126.18 feet; along a curve to the left said curve having a radius of 275.00 feet and a length of 226.05 feet; North 48 degrees 04 minutes 28 seconds West, 152.84 feet to the north line of said SE1/4, SE1/4; thence South 89 degrees 05 minutes 18 seconds East, 1283.80 feet to the Point of Beginning. Containing 11.0 acres, more or less. Subject to any and all easements.

Commitment Number: 200107

**SCHEDULE B**

## 1. Requirements:

- a. Instrument(s) creating the estate or interest to be insured must be properly executed and filed for record, to wit:  
  
(a) Warranty Deed From Kenneth W. Holmes, a/k/a Kenneth Holmes, and Rhonda K. Holmes, a/k/a Rhonda Holmes, husband and wife, to a purchaser To Be Determined, conveying subject property, must be executed and filed for records.
- b. Pay the full consideration to, or for the account of, the grantors or mortgagors.
- c. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
- d. Proper payment, satisfaction and release of the Mortgage executed by Kenneth W. Holmes and Rhonda K. Holmes, in favor of The Citizens Bank, in the original amount of \$111,476.00, dated August 18,, 2008 and recorded August 22, 2008, in Deed of Trust record book 2008, at page 17590.
- e. Proper execution and recording of a Quitclaim Deed from Larry Altom, LLC, to Kenneth W. Holmes and Rhonda K. Holmes, husband and wife, conveying Tract 1 herein (This is being required due to a deed having been filed December 30, 1998, from Larry Altom and Katherine Altom, husband and wife, to Larry Altom Company, LLC, prior to the recording of a Deed from Larry Altom and Katherine Altom, husband and wife, to Kenneth W. Holmes and Rhonda K. Holmes, husband and wife, on July 19, 2002.)
- f. PROPER EXECUTION AND COMPLETION OF THE ATTACHED AFFIDAVIT OF NON-VIOLATION SIGNED BY THE SELLERS. THIS AFFIDAVIT MUST BE RETURNED TO THE TITLE COMPANY PRIOR TO THE ISSUANCE OF THE FINAL POLICY.
- g. NOTICE: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

## 2. 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. 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.
- b. Rights or claims of parties in possession not recorded in the public records.
- c. Easements or claims of easements not recorded in the public records.
- d. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.

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(200107.PFD/200107/9)

Commitment Number: 200107

**SCHEDULE B**  
(Continued)

- e. Any mention of acreage in insured description is for identification purposes only and the actual amount of acreage is not guaranteed.
- f. 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.
- g. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
- h. All assessments and taxes for the year 2019 and all subsequent years.
- i. Tract 1 herein is subject to a Right of Way in favor of Arkansas Power and Light Company, dated November 30, 1989, and recorded January 24, 1990, in Deed record book L-14 at page 375.
- j. Lands herein are subject to a 50 foot wide road easement in favor of Independence County, Arkansas, dated July 26, 1995, and recorded July 27, 1995, in Deed record book U-15 at page 583.
- k. Subject to any loss arising due to a portion of the lands herein lying within the right of way of the County Road forming the west boundary of the property.
- l. THE FOLLOWING IS FOR INFORMATION PURPOSES ONLY AND IS NOT INSURED UNDER THE POLICY:

Lands are assessed in the following two tax parcels, to-wit:

(1) Tax Parcel ID Number: 01-07957-0001

Real Estate Tax Amount: \$30.64, paid in full for the year 2018 taxes.

(2) Tax Parcel ID Number: 01-07597-0002

Real Estate Tax Amount: \$25.12, paid in full for the year 2018 taxes.

There is no Independence County Trash Collection Fee for the current year: 2019

## **ARKANSAS INSURANCE DEPARTMENT CONTACT INFORMATION**

**If we at Independence County Abstract Company, Inc., as agent, or the Title Insurance Company which provides the coverage for this policy, should fail to provide you with reasonable and adequate service, you should feel free to contact the Arkansas Insurance Department by calling 1-800-852-5494 or 1-501-371-2640 to obtain information on:**

- 1. Filing a complaint against an insurance company or agent.**
- 2. Whether an insurance company or agent is licensed.**
- 3. Complaints received against an insurance company or agent.**
- 4. Policy holder rights.**
- 5. A list of consumer publications and services available through the Insurance Department.**

**You may also write to:**

**Arkansas Insurance Department  
Consumer Services Division  
1200 West Third Street  
Little Rock, AR 72201-1904**

# **Independence County Abstract Company, Inc.**

## **PRIVACY POLICY NOTICE**

### **Purpose Of This Notice**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated 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 GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Independence County Abstract Company, Inc.,

#### **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 that 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 nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to nonaffiliated companies that perform services on our behalf.

#### **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 personal information.