

STEWART TITLE

GUARANTY COMPANY COMMITMENT FOR TITLE INSURANCE

Property Address: 10410 Forest Garden Lane

10410_FO VER. 4.25/09.46

SCHEDULE A

There is 1 commitment and property description for this sale.

1. Effective Date 04-21-23 @ 8:00 am

Examiner: GT

2. Policy or policies to be issued:

Amount \$TBA

☐ ALTA OWNER'S POLICY - (2006)
☐ ALTA Residential Title Insurance Policy - (2006)

Proposed Insured:

PURCHASER TO BE DETERMINED AT AUCTION

3. Title to the fee simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

THE ROBERT F. SEXTON, JR., TESTAMENTARY TRUST AS ESTABLISHED UNDER THE WILL OF ROBERT F. SEXTON a/k/a ROBERT F. SEXTON, JR., Elizabeth Schutz, Trustee with full power of sale of realty

BEING the same property devised to Elizabeth Schutz as Trustee of THE ROBERT F. SEXTON TESTAMENTARY TRUST established under Article 4 of the Will of Robert F. Sexton (a/k/a Robert F. Sexton, Jr.), who died testate January 18, 2022, which Will was Probated April 19, 2022 in Jefferson County District/Probate Case No. 22-P-001992 and recorded in Will Book 778, Page 557, in the Office of the County Clerk of Jefferson County, Kentucky. Pursuant to Article 7 of said Will, Elizabeth Schutz was appointed Executrix of the Estate on May 10, 2022, with power of sale of realty granted in Article 7.4 of said Will.

AND BEING the same property conveyed from Charles N. Sexton, Laura Patterson, husband and wife, and Robert F. Sexton, III and Nancy Sexton, husband and wife, to ROBERT F. SEXTON, JR., by Quitclaim Deed dated December 2, 2013 of record in Deed Book 10180, Page 904, in the Office of the Jefferson County Clerk.

AND BEING the same property inherited by ROBERT F. SEXTON, JR., CHARLES N. SEXTON, and ROBERT F. SEXTON, III, as evidenced by Affidavit of Descent for Nancy N. Sexton, deceased, of record in Deed Book 10180, Page 903, in the Office aforesaid.

AND BEING the same property conveyed to NANCY N. SEXTON, by Deed dated September 30, 1999, of record in Deed Book 7328, Page 325, in the Office aforesaid.

4. The land referred to in this commitment is located at 10410 Forest Garden Lane in the city of Lyndon, Jefferson County, Kentucky, and is described as follows:

See Exhibit "A" attached hereto and made a part hereof.

STEWART TITLE
GUARANTY COMPANY

RE: PURCHASER TO BE DETERMINED AT AUCTION
10410 Forest Garden Lane

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SCHEDULE B--Section 1
Limitations and Requirements

THIS COMMITMENT IS INTENDED AND ISSUED FOR THE EXCLUSIVE USE OF THE PROPOSED INSURED APPEARING ON PAGE 1. NO OTHER PERSON IS PERMITTED TO USE OR RELY UPON THIS COMMITMENT.

The following are the requirements to be complied with:

Valid resolution authorizing transaction for any corporate or partnership seller or mortgagor.

Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

Deed from **THE ROBERT F. SEXTON, JR. TESTAMENTARY TRUST ESTABLISHED UNDER THE WILL OF ROBERT F. SEXTON a/k/a ROBERT F. SEXTON, JR., Elizabeth Schutz, Trustee, and THE ESTATE OF ROBERT F. SEXTON, deceased, by Elizabeth Schutz, Executrix, in favor of PURCHASER TO BE DETERMINED AT AUCTION.** No other instruments are required in connection with this title.

Pay and release all liens of record.

Additional Requirements for Policy:

1. Contact the Forest Green HOA for a current status letter of amounts due & paid.
2. Trustee to sign TRUSTEE CERTIFICATION at closing.

You must inform us in writing the name of anyone not referred to in this Commitment who will receive an interest in the land or who will make a loan secured by the land. We may impose additional requirements or exceptions relating to the interest or the loan.

REAL ESTATE TAX INFORMATION

Current taxes, even if not yet due and payable, are a **PRIOR LIEN** from the first day of the tax year.

Current taxes due and unpaid, delinquent taxes for prior years and interest, if any, are a **PRIOR LIEN**.

TAX IDENTIFICATION: 21-3065-0015-0000

ASSESSED VALUE: \$362,960.00

LAST BILL ISSUED: Jefferson County; Original face amount is \$4,217.59 for 2022 (Paid \$4,133.24 discount on 11-08-22)

City of Lyndon; Original face amount is \$406.63 for 2022 (paid the discount of \$365.97 on 7-6-22)

All tax bills issued prior to the current year are paid.

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SCHEDULE B--Section 2
Exceptions

NOTE: Any exception contained herein omits any covenant, condition, or restriction based on race, color, religion, sex, handicap, financial status, or national origin as provided in U.S.C. §3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. §3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

Mandatory Non-Deletable Mineral Exception: The policy or policies to be issued will contain the following exception: Exception is taken to 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.

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the company:

SECTION 2: STANDARD EXCEPTIONS

- 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 the value of record the estate or interest or mortgage thereon covered by this commitment.
- b. Encroachments, overlaps, boundary line disputes and any other matters which would be disclosed by an accurate survey and/or inspection of the premises.
- c. Easements, claims of easements, not shown by the public records.
- d. 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.
- e. Taxes, or special assessments, whether or not shown as existing liens by the public records.
- f. Rights or claims of parties in possession not shown by the public records.
- g. State, County, and School taxes for the current year are a lien, whether or not now due and payable.

SECTION 2 - CONT'D: ADDITIONAL EXCEPTIONS

NO MORTGAGES ARE OF RECORD

2. Lien for unpaid taxes, if any, shown in **Schedule B-1 REAL ESTATE TAX INFORMATION**.
3. Restrictions of record in Deed Book 7028, Page 541, and amended in Deed Book 7054, Page 262 and Deed Book 7297, Page 874, all in the Office of the County Clerk of Jefferson County, Kentucky. NOTE: These instrument allow for the collection of HOA dues, fees and assessments. Contact the Forest Green HOA for a current status letter of amounts due & paid.
4. Subject to all easements, set-back lines, conditions, and other matters as appear on record plat in Plat and Subdivision Book 44, Page 16, in the Office of the County Clerk of Jefferson County, Kentucky.
5. Subject to any unpaid HOA dues, fees or assessments. You must Contact the HOA for a current status letter prior to closing.
6. The rights of the Trustee to sell the property are subject to the Rights of the Executrix of The Estate of Robert F. Sexton, Jr. to sell the property to settle the debts of the estate. Therefore it is recommended that The Estate, acting by and through Elizabeth Schutz, Executrix, join in the Deed conveying title to the property to the successful bidder.

* * * * * **END OF SCHEDULE B EXCEPTIONS** * * * * *

RE: 10410 Forest Garden Lane

GT Eff. Date 04-21-23

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EXHIBIT "A"

BEING Lot 15 of the Forest Garden Patio Homes a/k/a Forest Garden/Village Patio Homes, a/k/a Forest Green Patio Homes, Section 1, as shown on plat of same recorded in Plat and Subdivision Book 44, Page 16, in the Office of the County Clerk of Jefferson County, Kentucky.