

Title Report


Commitment Number: LC21-558 BIRD

SCHEDULE A

1. Effective Date: December 15, 2021 at 07:00 AM
2. Policy or Policies to be issued: Amount
 - (a) X Owner's Policy (ALTA Own. Policy (6/17/06))
Proposed Insured:
 - (b) Loan Policy (ALTA Loan Policy (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:
Alan Jeffery Bird
5. The land referred to in the Commitment is described as follows:
Lots Three and Four and the South Half of the Northwest Quarter of Section Four in Township One Hundred Four North, Range Seventy Eight West of the Fifth Principal Meridian in Lyman County, South Dakota.

Title Report

By:


Maryalice Larson, Lyman County Title Co., Inc.

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SCHEDULE B

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:

1. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
3. Any right, title, or interest in any minerals, mineral rights, or related matters, including but not limited to oil, gas, coal, and other hydrocarbons.

* Paragraphs 1, 2, 3, 4, 5, 6, 7, 8 and 9 will not appear as printed exceptions on extended coverage policies except as to such parts thereof which may be typed as a Special Exception.

Special Exceptions:

4. This policy does not include a search of financing statements filed in the office of the Secretary of State or in Lyman County Register of Deeds Office other than those recorded in the real estate records of said county.
5. We find no personal property taxes, liens or judgments on record in the offices of the County Treasurer, Register of Deeds or Clerk of Courts of Lyman County, South Dakota against:
Alan Jeffery Bird
which should be liens upon the above described property when title thereto is vested in them. (except as specifically set out below.)
6. 2021 Real Estate Taxes (due in 2022) currently a lien but not yet due and payable.
7. 2020 Real Estate Taxes (due in 2021) in the amount of \$1,215.20 which are paid. Tax Receipt No. 2579
8. Real Estate Mortgage (Open-End To Secure Present and Future Obligations and Advances) dated May 22, 2012 executed by Alan Jeffery Bird, a single man to [REDACTED]
[REDACTED] Recorded on May 23, 2012 at 8:50 AM in the Office of the Lyman County Register of Deeds under Microfilm No. 12-238. (Includes additional property)
9. Real Estate Mortgage, Assignment of Rents and Fixture Filing (Open-End to Secure Present and Future Obligations and Advances) dated December 3, 2015 executed by Alan J Bird, single to [REDACTED]
[REDACTED] Recorded on December 4, 2015 at 9:05 AM in the Office of the Lyman County Register of Deeds under Microfilm No. 15-594. (Includes additional property)
10. If this was a title insurance commitment, Title Company would require an Affidavit of Possession be recorded.
11. Reservations contained in the patent from the United States of America or the state.
12. Rights of tenants in possession under the terms of unrecorded leases
13. Oil, Gas and Mineral Leases executed by present and former owners.
14. Statutory easement for highway along the section line (or lines) bounding (or within) the land herein described.

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SCHEDULE B
(Continued)

15. The rights of the Public, the County of Lyman, the State of South Dakota and any other governmental entity in and to that portion of the subject property used for road/right of way purposes.
16. No search has been made in regard to mobile homes/manufactured homes. Subsequently, we are not liable for any liens, judgements and/or taxes, current or delinquent, that would apply to the same.
17. This report is not intended to be a substitute for Title Insurance or an Abstract and Title Opinion, and should not be relied upon for closing any Purchase, Sale, Mortgage or Lending transaction. This report is based on a limited review of the records on file and does not purport to report on the existence or non-existence of any matter outside the scope of said review. Anyone making use of this report for any purpose is warned that a full review of the record on file might disclose records or information which might affect or alter all of the information reported herein and that no warranty of any type is made as to the existence or non-existence of any matter outside the scope of the limited review.

Limit of Liability: All Liability for or based on this report is limited to the amount of the consideration paid for the report and shall not include incidental or consequential damages of any kind.

Excluded Items: This report does not include or report on the existence or status on any bankruptcy proceedings, easements, rights of way, building line setbacks, questions or survey or property line location, compliance with zoning ordinances or other laws, interests of persons in possession or occupancy of property, or the interest of any person providing materials, labor or skill for visible improvements of said property to said property. Any person dealing with the title must make independent inquiry as to any and all such matters.

18. End of Schedule B.