

Cover page for:

Revised
Preliminary Title Insurance Schedules
(with copies of recorded exception documents)

Preliminary title insurance schedules prepared by:

Assurance Title Company, LLC
(File Number: 24-1673; Revision #1)

For January 27, 2025 auction to be conducted by:

Schrader Real Estate and Auction Company, Inc.

With respect to:

Lot 84 of Devonshire Pointe, Section One, in St. Joseph County, Indiana
50980 Taddington Court, Granger, Indiana
Parcel # 71-04-11-479-003.000-011

On behalf of:

Everdine M. Kelley Irrevocable Trust

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: Assurance Title Company, LLC
Issuing Office: 102 E Main St.
Albion, IN 46701
Issuing Office's ALTA® Registry ID: 1125584
Loan ID Number:
Commitment Number: 24-1673
Issuing Office File Number: 24-1673
Property Address: 50980 Taddington Ct, Granger, IN 46530
Revision Number: 1

SCHEDULE A

1. Commitment Date: December 3, 2024 8:00 AM
2. Policy to be issued:
 - (a) 2021 ALTA Owner's Policy
Proposed Insured: **Purchaser with contractual rights under a purchase agreement with the vested owner identified at Item 4 below**
 - Proposed Amount of Insurance: **\$1.00**
 - The estate or interest to be insured: **fee simple**
3. The estate or interest in the Land at the Commitment Date is:
fee simple
4. The Title is, at the Commitment Date, vested in:
David A. Pepler, Trustee of The Everdine M. Kelley Irrevocable Trust dated May 1, 2015, and any amendments thereto by deed from Everdine Kelley dated 05/01/2015 and recorded with St Joseph County Recorder's Office on 05/13/2015 as Document 1511414.
5. The land is described as follows:
The land is described as set forth in Exhibit A attached hereto and made a part hereof.

ASSURANCE TITLE COMPANY, LLC
102 E Main St., Albion, IN 46701
Telephone: (260) 636-2692

COMMONWEALTH LAND TITLE INSURANCE COMPANY
P.O. Box 45023, Jacksonville, FL 32232-5023

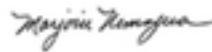
Countersigned by:



Molly McAfee-Eddy, License #461237
Assurance Title Company, LLC, License #924500



By: _____
Michael J, Nolan, President



By: _____
Marjorie Nemzura, Secretary

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



SCHEDULE B, PART I – Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. If Assurance Title Company will be serving as the closing agent and this closing will take place on or after July 1, 2009, funds provided in excess of \$10,000.00 must be wired and funds less than \$10,000.00 must be good funds in compliance with IC 27-7-3.7.
6. Any conveyance or mortgage by the Trustee of the trust under which title is held must be accompanied by evidence of the continued existence of the trust, the identity of the Trustee and evidence of authority with respect to the contemplated transaction.
7. Duly authorized and executed Trustee's Deed from David A. Pepler, Trustee of The Everdine M. Kelley Irrevocable Trust dated May 1, 2015, to Proposed Insured, to be executed and recorded at closing.
8. NOTE: Disclosure of Sales Information form(s) prescribed by the State Board of Tax Commissioners pursuant to IC 6-1.1-5.5 must be filed with the Auditor's Office. Strict compliance must be followed using the most recent version of the Indiana Sales Disclosure. (1 SD)
9. Vendors, (Sellers), Closing Affidavit to be furnished this office.
10. For each policy to be issued as identified in Schedule A, Item 2; the Company shall not be liable under this commitment until it receives a designation for a Proposed Insured, acceptable to the Company. As provided in Commitment Condition 4, the Company may amend this commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured.

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SCHEDULE B, PART II – Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements or claims of easements not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance or other matter affecting the Land that would be disclosed by an accurate and complete land survey of the Land.
5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Taxes or special assessments which are not shown as existing liens by the public records.
7. NOTE: Indiana state law, effective July 1, 2023, prohibits ownership of certain real property by certain foreign parties. This law can be found at Indiana Code § 1-1-16-1, et seq. (“the Act”). Any loss or damage resulting from a violation of the Act is excluded under the terms of the Policy.
8. Taxes for 2023 payable 2024
Parcel No. 71-04-11-479-003.000-011
Tax Unit of Harris Township
State ID No. 71-04-11-479-003.000-011
May 10 \$1,734.56 PAID
November 12 \$1,734.56 PAID
Assessed Valuation: Land \$114,700 Improvements \$286,200
Exemptions \$48,000-HOME / \$141,160-SUPP
9. Hazardous Waste Fee, May 10 \$10.50 PAID, November 12 \$3.50 PAID.
10. Recycling Fee, May 10 \$42.00 PAID, November 12 \$14.00 PAID.
11. Annual assessment of \$5.00 for maintenance of Juday Creek (81) Drain 2024, May 10 \$2.50 PAID, November 12 \$2.50 PAID, plus delinquent assessments and penalties in the amount of \$2.75 PAID.
12. Taxes for 2024 due and payable 2025, and subsequent taxes.

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13. The Company assumes no liability for increases in the amount of real estate taxes as shown above, and any civil penalties, as a result of retroactive revaluation of the land and improvements, changes in the usage of the land or the loss of any exemption or deduction applicable to the land insured herein.
14. The address shown on Schedule A, is solely for the purpose of identifying said tract and should not be construed as insuring the address shown in the description of the land.
15. Any and all liens, assessments, impact fees and zoning ordinances, now carried on the municipal records of the City of Granger, Indiana.
16. Right of way for drainage tiles, feeders and laterals, if any.
17. Rights of the public, State of Indiana, County of St. Joseph and the municipality in and to that part of the premises taken or used for road purposes.
18. Any governmental limitations or regulations respecting access to abutting roads, streets or highways.
19. Minimum building set back requirements, restrictions, covenants, limitations and easements as the same appear upon the plat of the insured premises, recorded as Instrument No. 9322704.
20. Distribution Easement in favor of Indiana Michigan Power Company, dated November 5, 1993, recorded January 20, 1994 as Instrument No. 9402496.
21. Protective Restrictions, Covenants, Limitations and Easements for Devonshire Pointe, as recorded July 20, 1993, as Instrument No. 9327815. Along with an Amendments recorded as Instrument No. 9533802, 0105930, and 0720262.
22. This commitment has been issued without a judgment search being made against the name insured.

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EXHIBIT "A"

The Land referred to herein below is situated in the County of St. Joseph, State of Indiana and is described as follows:

Lot Numbered Eighty-four (84) as shown on the recorded Plat of Devonshire Pointe, Section One, recorded June 17, 1993, in the Office of the Recorder of St. Joseph County, Indiana, as Instrument No. 9322704.

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