



Fidelity National Title
Insurance Company

**FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

File No. PRO-12-1542W

1. Effective Date: JULY 01ST, 2024
2. Policy or policies to be issued: before JUNE 28TH, 2024

Amount: USD 486,905.15

- (a) ☒ ALTA Owner's Policy: (6-17-06)
☐ Advantage Residential Owner's Policy
☐ Advantage Express Residential Owner's Policy

Proposed Insured: To Be Determined

- (b) ☐ ALTA Loan Policy: (6-17-06)
☐ ALTA Short Form Residential Loan Policy: (6-17-06)
☐ Advantage Residential Loan Policy
☐ Advantage Express Loan Policy

Proposed Insured:

- (c) ☐ Other

Proposed Insured:

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:

Three Hills Inn, Inc.

T.H. Holding Company, LLC

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

See Schedule A attached hereto and made a part hereof.

Countersigned:

**PROFESSIONAL TITLE ASSOCIATES
3130 CHAPARRAL DRIVE, SUITE B-100
ROANOKE, VA 24018**

Authorized Officer or Agent

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B
Requirements

File No. PRO-12-1542W

The following are the requirements to be complied with:

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

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

1. Duly authorized Special Warranty Deed from Trustee(s) in foreclosure under Deed of Trust recorded as Instrument No. 08-1109 vesting fee simple title in To Be Determined.
2. The Company must be provided with the following:
 - a. Trustee's certification or satisfactory evidence that the foreclosure sale conducted, or to be conducted in order to satisfy the following lien is in compliance with the terms of the Deed of Trust and applicable state statutes: Instrument No. 08-1109.
 - b. Trustee's certification or satisfactory evidence that the Trustee complied with the requirements for notice to subordinate lienholders and advertisement pursuant to Section 55-59.1 and 55.59.2 of the Code of Virginia, 1950, as amended.
 - c. Trustee's certification or satisfactory evidence that Three Hills Inn, L.C. and/or T.H. Holding Company, LLC had/has not filed for protection under Federal Bankruptcy or state insolvency laws through the time of execution, delivery and recordation of the Deed referenced herein.
 - d. Satisfactory evidence that the Trustee has been instructed and authorized to foreclose by the holder of the note secured by the above referenced deed of trust, or its authorized servicer or agent. Satisfactory evidence of such includes Trustee certification, a copy of the note properly endorsed over to entity executing substitution of trustee, or lost note affidavit executed by entity appointing substitute Trustee.
 - e. The following matters were recorded subsequent to, or are subordinate to the Deed of Trust and will not appear in the final policy upon compliance with the requirements set forth in this Commitment: Financing Statement No. 080000003.
3. Payment of all taxes up to and including those for the year 2011, plus any penalties and interest which may accrue.
4. Receipt of satisfactory executed "Owners (sellers) Affidavit as to Mechanics' Liens and Possession."

Note: This Company may take other requirements and/or exceptions upon receipt and review of the above-listed documents.

Commitment – Schedule B Section 1

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B – SECTION 2
Exceptions

File No. PRO-12-1542W

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:

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.

1. Those taxes becoming due and payable subsequent to the date of the policy.
2. Terms, provisions, restrictions, conditions, easements, liens, assessments, developer rights, options, rights of first refusal and reservations appearing of record as Instrument No. 06-65.

NOTE: This exception omits any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C Section 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 Section 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

3. Building setback line of 50 feet as contained in the restrictions.
4. Easement granted Barc Electric Cooperative of Millboro, Virginia by instrument dated June 7, 2006 from 3-Hills Holding Co LLC, recorded as Instrument No. 06-1020.
5. Terms and conditions of Agreement dated March 12, 2004, recorded in Deed Book 198, page 384 between Altus Development, Company, L.L.C. and Three Hills Inn, L.C.
6. Terms and conditions of Well Dedications dated September 21, 1999 and December 17, 2001 and recorded in Deed Book 166, pge 292 and Deed Book 180, page 466, respectively.
7. Deed of Easement between Virginia Hot Springs, Inc., Three Hills Inn, L.C., and Barc Electric Cooperative, dated April 19, 1999 from recorded in Deed Book 164, Page 278.
8. Easement granted Barc Electric Cooperative of Millboro, Virginia by instrument dated July 22, 1994 from Three Hills Inn, L.C., recorded in Deed Book 144, Page 171.
9. Terms and conditions as set out in Deed dated February 14, 1973, from Three Hills Corporation, to Commonwealth Realty Corporation, recorded in Deed Book 86, page 324.
10. The following matters as shown on plat of survey dated September 3, 2004, made by Anthony D. Potts, L.S.:
 - a. Drainage easement 15 feet in width.
 - b. Sanitary sewer easement.
 - c. Ingress/Egress/Utility easement.
11. Rights of others in and to the use and enjoyment of the appurtenant easement set out under Schedule A hereof.
12. Rights of tenants or parties in possession.

Commitment – Schedule B Section 2

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE B – SECTION 2
Exceptions - (continued)

13. Easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments and any matters not shown by the public records which would be disclosed by an accurate survey and inspection of the land described in Schedule A.

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

FIDELITY NATIONAL TITLE INSURANCE COMPANY
Schedule A
Legal Description

File No. PRO-12-1542W

Located in the County of Bath, State of Virginia:

Auction Tract 1:

Commencing at a point, said point being the eastern corner of the Well Lot of The Meadows Phase 1, thence S 14 deg. 58'26" E a distance of 166.84' to the point of beginning.

From the point of beginning thus established; thence S. 46 deg. 16' 15" W a distance of 131.92' to a point; thence S 36 deg. 41' 10" E a distance of 151.23' to a point; thence S 62 deg. 40' 15" W a distance of 32.78' to a point; thence S 26 deg. 47' 24" E a distance of 149.65' to a point; thence N 54 deg. 34' 35" E a distance of 33.04' to a point; thence S 41 deg. 04' 10" E a distance of 131.52' to a point; thence S 22 deg. 20' 24" W a distance of 83.73' to a point; thence S 11 deg. 49' 06" W a distance of 231.00' to a point; thence S 03 deg. 48' 44" W a distance of 107.68' to a point; thence S 27 deg. 19' 07" W a distance of 99.00' to a point; thence S 13 deg. 19' 07" W a distance of 66.00' to a point; thence S 00 deg. 40' 53" E a distance of 132.00' to a point; thence S 41 deg. 40' 53" E a distance of 165.00' to a point; thence S 70 deg. 10' 25" W a distance of 33.17' to a point; thence N 43 deg. 14' 38" W a distance of 1652.76' to a point; thence with a curve turning to the left with an arc length of 137.62', with a radius of 336.48', with a chord bearing of N 04' deg. 20' 00" W, with a chord length of 136.66', thence N 16 deg. 02' 59" W a distance of 292.72' to a point; thence with a curve turning to the right with an arc length of 117.08', with a radius of 522.96', with a chord bearing of N 09 deg. 38' 11" W, with a chord length of 116.83', thence S 35 deg. 17' 18" E a distance of 412.33' to a point; thence N 55 deg. 38' 36" E a distance of 98.41' to a point; thence S 52 deg. 05' 10" E a distance of 120.25' to a point; thence N 40 deg. 43' 49" E a distance of 307.09' to a point; thence with a curve turning to the left with an arc length of 69.55', with a radius of 120.00', with a chord bearing of S 77 deg. 23' 30" E, with a chord length of 68.58', thence with a curve turning to the left with an arc length of 6.16', with a radius of 72.00', with a chord bearing of N 83 deg. 33' 15" E, with a chord length of 6.16', thence S 09 deg. 10' 38" E a distance of 45.22' to a point; thence S 67 deg. 50' 17" E a distance of 167.72' to a point; thence S 33 deg. 37' 10" E a distance of 138.48' to a point; thence S 44 deg. 58' 58" E a distance of 38.90' to a point; thence S 79 deg. 00' 50" E a distance of 61.94' to a point; thence S 69 deg. 52' 58" E a distance of 91.23' to a point; thence S 60 deg. 20' 25" E a distance of 71.79' to a point, which is the point of BEGINNING; LESS AND EXCEPT the parcel known as Lot Two of Three Hills Estate, having an area of 21780 square feet, 0.5000 acres, leaving an area of 890855 square feet, 20.4512 acres also being known as Lot One of Three Hills Estate.

TOGETHER WITH the right of ingress and egress over the ingress/egress/utility easement as shown on that certain plat titled "Three Hills Estate", prepared by AD Potts & Assoc., Inc., dated September 3, 2004, which said plat is of record in the Office of the Clerk of the Circuit Court, Bath County, Virginia, in Plat Cabinet 1, Slide 175.

Auction Tract 2:

That certain tract or parcel of real property situate, lying and being in the Warm Springs Magisterial District, Bath County, Virginia, comprising 0.50 acres, shown and designated as Lot 2 on that certain plat titled "Three Hills Estate", prepared by AD Potts & Assoc., Inc., dated September 3, 2004, which said plat is of record in the Office of the Clerk of the Circuit Court, Bath County, Virginia, in Plat Cabinet 1, Slide 175 and commonly referred to as The Conference Center.

TOGETHER WITH the right of ingress and egress over the ingress/egress/utility easement as shown on that certain plat titled "Three Hills Estate", prepared by AD Potts & Assoc., Inc., dated September 3, 2004, which said plat is of record in the Office of the Clerk of the Circuit Court, Bath County, Virginia, in Plat Cabinet 1, Slide 175.

Commitment – Schedule A

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached

FIDELITY NATIONAL TITLE INSURANCE COMPANY
EXHIBIT A
Legal Description – (continued)

Auction Tract 3:

Beginning at a point, said point being the northern corner of the Well Lot of The Meadows Phase 1.

From the point of beginning thus established; thence N 33 deg. 59' 38" W a distance of 179.34' to a point; thence N 07 deg. 37' 23" E a distance of 8.49' to a point; thence N 10 deg. 33' 03" W a distance of 114.82' to a point; thence N 26 deg. 40' 01" W a distance of 189.21' to a point; thence N 44 deg. 18' 53" W a distance of 36.91' to a point; thence S. 55 deg. 46' 25" W a distance of 52.19' to a point; thence N 50 deg. 28' 50" W a distance of 27.00' to a point; thence N 46 deg. 57' 08" E a distance of 54.51' to a point; thence N 43 deg. 57' 50" W a distance of 197.71' to a point; thence with a curve turning to the left with an arc length of 22.44', with a radius of 125.00', with a chord bearing of N 01 deg. 57' 03" W, with a chord length of 22.41', thence S 43 deg. 57' 50" E a distance of 1052.90' to a point; thence S 02 deg. 18' 33" W a distance of 319.34' to a point; thence S 45 deg. 54' 48" W a distance of 104.99' to a point; thence N 13 deg. 11' 46" W a distance of 47.67' to a point; thence N 36 deg. 12' 14" W a distance of 41.18' to a point; thence N 60 deg. 18' 26" W a distance of 21.62' to a point; thence N 27 deg. 44' 22" W a distance of 135.27' to a point; thence N 42 deg. 59' 00" W a distance of 53.17' to a point; thence N 60 deg. 20' 25" W a distance of 71.79' to a point; thence N 69 deg. 52' 58" W a distance of 91.23' to a point; thence N 14 deg. 27' 27" E a distance of 53.66' to a point; thence S 32 deg. 12' 53" E a distance of 13.00' to a point; thence N 57 deg. 47' 07" E a distance of 100.00' to a point; thence N 32 deg. 12' 53" W a distance of 100.00' to a point; which is the point of beginning, having an area of 174240 square feet, 4.0000 acres also being known as Lot Six of Three Hills Estate.

TOGETHER WITH the right of ingress and egress over the ingress/egress/utility easement as shown on that certain plat titled "Three Hills Estate", prepared by AD Potts & Assoc., Inc., dated September 3, 2004, which said plat is of record in the Office of the Clerk of the Circuit Court, Bath County, Virginia, in Plat Cabinet 1, Slide 175.