



Transaction Identification Data for reference only:

Issuing Agent: **GREGORY COUNTY TITLE COMPANY**
Issuing Office: **742 MAIN STREET , BURKE, SD 57523**
Issuing Office's ALTA Registry ID: **0002665**
Loan ID Number:
Commitment Number: **2020-053A**
Issuing Office File Number: **2020-053A**
Property Address:
Revision Number:

Schedule A


1. Commitment Date: **06/11/20** at **8 : 00 . a . m .**
2. Policy to be issued: Proposed Policy Amount:
(a) ALTA Owner's Policy 2006 **\$5,000.00**
Proposed Insured:
Delbert Miller, also known as Delbert D. Miller, or his designee

(b) ALTA Loan Policy 2006 \$
Proposed Insured:

3. The estate or interest in the Land described or referred to in this Commitment is **Fee Simple**
4. The Title is, at the Commitment Date, vested in:
Delbert Miller, also known as Delbert D. Miller

5. The Land is described as follows:
See Exhibit "A" attached hereto and made a part hereof.

Agent Name: **Gregory County Title Company**


Authorized Signatory

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago 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.

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CHICAGO TITLE INSURANCE COMPANY
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

EXHIBIT "A"

File No.: **2020-053A**

The Land is described as follows:

The South Twenty-five Feet (S25') of Lot Five (5) and all of Lot Six (6), Block Fifty-six (56) of the original town, now city, of Burke, Gregory County, South Dakota.



SCHEDULE B, PART I
Requirements

File No.: **2020-053A**

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.
 - a. **A properly executed Affidavit of Possession must be placed of record to cure defects in the chain of title.**
 - b. **As Delbert Miller, also known as Delbert D. Miller, is deceased, his estate must be properly completed and federal estate tax must be paid. If the property is to be sold by the Personal Representative, a properly executed Personal Representative's Deed (with Certified Letters of Personal Representative attached and the language indicating that the Personal Representative has not been removed and the estate has not been terminated) to the proposed insured must be**
See Continuation Sheet

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**SCHEDULE B, PART I
Requirements (Continued)**

File No.: 2020-053A

placed of record.

- c. The mortgage, if any, we are asked to insure must be properly executed by _____, with marital status indicated, and must be placed of record.
- d. The assignment, if any, we are asked to insure must be properly executed and placed of record.

5. A properly executed Affidavit and General Indemnity Agreement provided by us and attached hereto, must be properly completed and executed by the Seller(s) and Buyer(s) and returned to our office.

6. The Proposed Policy Amount must be increased to the full value of the estate or interest being insured, and any addition premium must be paid at that time. An Owner's Policy should reflect the purchase price or full value of the Land. A Loan Policy should reflect the loan amount or value of the property as collateral. Proposed Policy Amount will be revised and premiums charged consistent therewith when the final amounts are approved.

7. 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 Conditions 4, the Company may amend this commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured.

INFORMATIONAL NOTES:

NOTE: The record discloses no transfers within the last 24 months. The last transfer of record is:
Quit Claim Deed executed by Delbert D. Miller and Lena I. Miller to Delbert D. Miller and Lena I. Miller, dated July 21, 2009, filed July 22, 2009 at 9:15 A.M., recorded in Book 95 of Deeds, page 299.
Affidavit Terminating Joint Tenancy Interest In Real Property for Lena I. Miller, executed by Diane Audiss, dated February 21, 2018, filed February 21, 2018 at 1:10 P.M., recorded in Book 64 of Miscellaneous Records, page 581.

NOTE: This policy does not include a search for financing statements filed in the office of the Secretary of State or in County Register of Deeds Office other than those recorded in the real estate records of said county.

NOTE: If documents are executed outside of closing in our office; they must be notarized in the presence of an attorney, Chicago Title Insurance Company representative or the insured lender.

NOTE: Photo ID will be required at closing.
See Continuation Sheet



CHICAGO TITLE INSURANCE COMPANY
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

**SCHEDULE B, PART I
Requirements (Continued)**

File No.: **2020-053A**

NOTE: Please be advised that the Tax Reform Act of 1986 requires that the following information be provided at closing:

- A) Seller's Tax Identification Number or Social Security Number.**
- B) Seller's full address after the closing.**

NOTE: Any charges for municipal services (i.e., water, sewer, correction of nuisance conditions, etc.) are the responsibility of the parties to this transaction. For information regarding the existence of any such bill, contact the appropriate municipal office.



SCHEDULE B, PART II

Exceptions

File No.: **2020-053A**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions 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. 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.
4. Easements, or claims of easements, not shown by the public records.
5. 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.
6. Taxes or special assessments which are not shown as existing liens by the public records.
7. **The 2019 real estate taxes due and payable in 2020 are PAID IN FULL and assessed as follows: TAX ID# 5059 S25' LOT 5; ALL LOT 6 BLK 56 OT BURKE-----\$695.92 PAID IN FULL Subject to real estate taxes subsequent to the 2019 tax year which are not yet due and payable.**
8. **Exceptions, reservations, and restrictions contained in patents and deeds from any government entity.**
9. **Any existing easements, deeds and all instruments of transfer whether or not shown by public record or specifically set out in this title policy for roads, highways, ditches, canals, laterals and power and transmission lines, utility easements, railroad right of ways, and the right of the public and any governmental entity to that portion of the subject property used for such purposes.**
10. **Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.**
11. **We have not made any search for coal, metals, asphalt, oil, gas and other minerals and are not insuring any such interest, rights or reservations. Ownership or title to any mineral interest and the effect on the surface of the exercise of the mineral rights.**
12. **Rights of tenants in possession under the terms of unrecorded leases.**
See Continuation Sheet

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CHICAGO TITLE INSURANCE COMPANY
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

SCHEDULE B, PART II
Exceptions (Continued)

File No.: **2020-053A**

NOTE: As the proposed insured has not been determined, we reserve the right to add additional exceptions once we have been furnished with the name of the proposed insured.