

Action Abstractors
Agent For

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

1. Effective Date: **January 10, 2010 at 08:00 am**
Issue Date: **January 19, 2010 at 3:40 pm**

2. Policy or Policies to be issued: **POLICY AMOUNT**

(a) ALTA OWNER'S POLICY (6-17-06)

Proposed Insured:

(b) ALTA LOAN POLICY (6-17-06)

Proposed Insured:

Proposed Borrower:

3. **Fee Simple** interest in the land described in this Commitment is owned, at the Commitment Date, by **Morton Memorial United Methodist Church**

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

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

Countersigned
Action Abstractors
1717 Alliant Ave., Ste 5
Louisville, KY 40299

By _____
Authorized Signatory

COMMITMENT FOR TITLE INSURANCE

EXHIBIT "A"

Property Address: 435 Eastern Boulevard, Clarksville, IN 47130

Tax ID:

Tax ID: 14-00020-016-0

Lot No. Fifteen (15) of Garden Acres, a subdivision of part of Survey No. Eight (8) of the Illinois Grant, as the same appears of record in Plat Book No. 5, Page 12, in the Office of the Recorder of Clark County, Indiana, excepting a strip two (2) feet in width off the rear end of said lot reserved for public utilities purposes, as the same appears of record in Plat Book 6, Page 229, in the Office of the Recorder of Clark County, Indiana.

Being the same property conveyed to Morton Memorial Methodist Church, by Deed dated April 13, 1948, of record in Deed Record 157, Page 349, in the Office of the Recorder of Clark County, Indiana. And being the same property conveyed from Morton Memorial United Methodist Church, to Morton Memorial United Methodist Church, by Warranty Deed dated May 17, 1989, of record in Deed Drawer 21, Instrument Number 5192, in the records for Clark County, IN.

Tax ID: 14-00020-017-0

Lots Numbers one (1) and two (2) of Garden Acres, a subdivision of part of Survey No. eight (8) of the Illinois Grant as the same appears of record in Plat Book No. 5, Page 12, in the Office of the Recorder of Clark County, Indiana, EXCEPTING a strip two (2) feet in width off the rear end of said lots reserved for public utilities purposes.

Being the same property conveyed from The Trustees of The New Albany District of the Methodist Church, to The Trustees of the Morton Memorial Methodist Church, by Trustee's Deed dated March 28, 1949, of record in Deed Book 162, Page 79, in the records for Clark County, IN.

Tax ID: 14-00020-018-0

Lot No. Three (3) of Garden Acres, a subdivision of part of Survey No. 8 of Illinois Grant, as the same appears of record in Plat Book No. 5, Page 12, in the Office of the Recorder of Clark County, Indiana, EXCEPTING two feet in width off the rear of said lot reserved for public utilities purposes.

Subject to the restriction that said premises shall be used, kept and maintained as a place of divine worship of the Methodist ministry and members of the Methodist Church, of record in Deed Book 162, Page 523, in the Office of the Recorder of Clark County, IN.

Subject to the "Discipline" usage, and ministerial appointments of said church as from time to time authorized and declared by the General Conference and by the Annual Conference within whose bounds the said premises are situated. This provision is solely for the benefit of the grantees, and the grantors reserves no right or interest in said premises, of record in Deed Book 162, Page 523, in the Office of the Recorder of Clark County, IN.

Being the same property conveyed from Nellie E. Nau, unmarried, to The Trustees of the Morton Memorial Methodist Church, by Warranty Deed dated May 31, 1949, of record in Deed Book 162, Page 523, in the records for Clark County, IN.

Tax ID: 14-00020-015-0

Lot Number sixteen (16) of Garden Acres, a subdivision of a part of Survey No. 8 of the Illinois Grant, as the same appears of record in Plat Book 5, Page 12, in the Office of the Recorder of Clark County, Indiana, excepting therefrom a strip two feet in width off the rear of such lot reserved for public utility purposes.

Subject to the restrictions contained in Deed, of record in Deed Book 123, Page 247, in the office of the Recorder of

Clark County, Indiana.

Being the same property conveyed from Charles P. Stocker, an un-remarried widow and named as "C.P. Stocker" in a certain deed from C. Leo Krebs dated March 28, 1929, of record in the Office of the Recorder of Clark County, Indiana in Deed Record Number 123, Page 247, to the Trustees of the Morton Memorial Methodist Church, by Warranty Deed dated January 11, 1951, of record in Deed Book 170, Page 246, in the records for Clark County, IN.

Tax ID: 14-00020-019-0

Lot No. Four (4) of Garden Acres, a subdivision of part of Survey No. Eight of the Illinois Grant, as the same appears of record in Plat Book No. 5, Page 12, in the Office of the Recorder of Clark County, Indiana, excepting two (2) feet in width off the rear end of said lots reserved for public utilities purposes.

Being the same property conveyed from Louis Nau and Gertrude Nau, husband and wife, to the Trustees of the Morton Memorial Methodist Church, by Warranty Deed dated February 15, 1952, of record in Deed Book 176, Page 66, in the records for Clark County, IN.

Tax ID: 14-00020-027-0

Lot Number Fourteen (14) of Garden Acres Subdivision, Unit No. 1, as the same appears of record in Recorder of Clark County, Indiana, in Plat Book No. 5, Page 12.

Subject to Restrictions and Easements set forth in Deed of record in Deed Record Number 128, Page 533, and as modified by the waiver of record in Miscellaneous Record No. 23, Page 81, in the office of the Recorder of Clark County, Indiana.

Being the same property conveyed from Thomas G. Risinger and Beatrice B. Risinger, husband and wife, to The Board of Trustees of the Morton Memorial Methodist Church, by Warranty Deed dated February 21, 1959, of record in Deed Book 220, Page 249, in the records for Clark County, IN.

Tax ID: 14-00020-020-0

Lots Nos. Five (5) and Six (6) of Garden Acres, as the same appear of record in Plat Book No. 5, Page 12, in the Office of the Recorder of Clark County, Indiana, except a strip two (2) feet in width off the rear end of said lots reserved for public utilities purposes.

Subject to the restriction of record pertaining to the above real estate.

Being the same property conveyed from Robert J. Prentice and Myrtha C. Prentice, his wife, Dixon W. Prentice and Phyllis R. Prentice, his wife, and Harold L. Perrin and Catherine L. Perrin, his wife, to the Trustees of the Morton Memorial Methodist Church, by Warranty Deed dated September 17, 1959, of record in Deed Book 225, Page 84, in the records for Clark County, IN.

Tax ID: 14-00020-013-0

Lot No. 18 of Garden Acres, a subdivision of plat of Survey No. 8 of the Illinois Grant, as the same appears of record in Plat Book No. 5, Page 12, in the Office of the Recorder of Clark County, Indiana. Subject to Easements and Restrictions of record and subject to a 2 foot public utility easement off the rear of said lot.

Being the same property conveyed from John C. Beets and Martha Ann Beets, husband and wife, to the Trustees of the Morton Memorial Methodist Church, by Warranty Deed dated August 12, 1963, of record in Deed Book 255, Page 460, in the records for Clark County, IN.

LESS AND EXCEPTING SO MUCH OF SAID PROPERTY AS WAS SOLD-OFF OR CONVEYED BY CLARK CIRCUIT COURT ACTION NUMBER 10C01-0001-CP-51, FROM MORTON MEMORIAL METHODIST CHURCH TO THE STATE OF INDIANA THE FOLLOWING DESCRIBED PROPERTY:

A part of Lots 1, 2, 3,4, 5, and 6 of Garden Acres Subdivision, the plat of which is recorded in Plat Book 5, Page 12 in the Office of the Recorder of Clark County, Indiana, described as follows: Commencing at the eastern corner of said

Lot 6; thence South 54 degrees 16 minutes 35 seconds West 15.50 feet (distance quoted from Deed Record 239, Page 454) along the southeastern line of said Lot 6 to the southwestern boundary of Eastern Boulevard and the POINT OF BEGINNING of this description; thence South 54 degrees 16 minutes 35 seconds West 3.611 meters (11.85 feet) along said southeastern line of Lot 6; thence North 50 degrees 26 minutes 14 seconds West 18.688 meters (61.31 feet); thence North 45 degrees 43 minutes 32 seconds West 28.449 meters (93.34 feet); thence North 42 minutes 03 minutes 21 seconds West 36.167 meters (118.66 feet); thence North 78 degrees 59 minutes 25 seconds West 12.911 meters (42.36 feet) to the northwestern line of said Lot 1; thence North 54 degrees 16 minutes 35 seconds East 14.423 meters (47.32 feet) along said northwestern line of Lot 1 to the northern corner of said Lot 1; thence along the northeastern line of said Lots 1, 2 and 3 Southeasterly 31.376 meters (102.94 feet) along an arc to the left and having a radius of 444.216 meters (1457.40 feet) and subtended by a long chord having a bearing of South 42 degrees 13 minutes 20 seconds East and a length of 31.370 meters (102.92 feet); thence South 34 degrees 10 minutes 25 seconds East 15.850 meters (52.00 feet) along said southwestern boundary of Eastern Boulevard; thence South 48 degrees 10 minutes 25 seconds East 31.090 meters (102.00 feet) along said boundary; thence South 38 degrees 13 minutes 25 seconds East 7.772 meters (25.50 feet) along said boundary; thence South 49 degrees 32 minutes 25 seconds East 6.492 meters (21.30 feet) along said boundary to the point of beginning and containing 539.7 square meters (5810 square feet); more or less. The above described land abuts the 1868-square foot parcel described in Deed Record 239, pages 452-454 in the Office of the Recorder, and any seeming bearing discrepancies result merely from the different bearing systems upon which they are based.

The following described right of way its temporary right of way for the purpose of constructing a driveway for service to the owner's private property and will revert to the owner on December 31, 2003:

A part of Lots 5 and 6 of Garden Acres Subdivision the plat of which is recorded in Plat Book 5, page 12 in the Office of the Recorder of Clark County, Indiana, described as follows: Commencing at the eastern corner of said Lot 6; thence South 54 degrees 16 minutes 35 seconds West 8.335 meters (27.35 feet) along the southeastern line of said Lot 6; thence North 50 degrees 26 minutes 4 seconds - West 8.148 meters (26.73 feet) to the POINT OF BEGINNING of this description; thence South 40 degrees 27 minutes 31 seconds West 3.165 meters (10.38 feet); thence North 49 degrees 27 minutes 06 seconds West 15.194 meters (49.85 feet); thence North 41 degrees 02 minutes 40 seconds East 3.285 meters (10.78 feet); thence South 48 degrees 59 minutes 57 seconds East 15.161 meters (49.74 feet) to the point of beginning and containing 48.9 square meters (527 square feet), more or less.

**SCHEDULE B - SECTION I
REQUIREMENTS**

Effective Date: **January 10, 2010, 08:00am**

The following requirements must be met:

1. Pay the agreed amounts for the interest in the land and/or according to the mortgage to be insured.
2. Pay us the premium, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:
 - a. **A properly executed deed from Morton Memorial United Methodist Church, to TO FOLLOW, conveying the premises described in Schedule A hereof fee simple, free and unencumbered.**
 - b. **A properly executed mortgage/deed of trust from TO FOLLOW, to , encumbering the premises described in Schedule A, and to secure the payment of a note in the sum of .**
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
5. **Note: All necessary endorsements will be issued at final policy.**
6. **Any right, title or interest of the spouse (if any) of any married vestee herein.**
7. **Any lien, or claim of lien, for services, labor or materials arising by reason of any work of improvement now in progress or recently completed, as disclosed by an inspection.**
8. **Pay all taxes, charges, assessments, levied and assessed against subject property, which are due and payable.**
9. **The 2009 Clark County real estate tax for Tax/parcel ID numbers: # 14-00020-016-0; # 14-00020-017-0; # 14-00020-018-0; # 14-00020-015-0; # 14-00020-019-0; # 14-00020-027-0; # 14-00020-020-0 and 14-00020-013-0, are all EXEMPT. Assessed Property Value Total for all eight (8) properties is: \$600,500.00.**
10. **Payment, cancellation and satisfaction of a State Tax Warrant, a certified copy of which was recorded in Judgment Docket 12, Page 318. Warrant No.: 07074840 Entry Date: September 16, 2008 Debtor: Morton Memorial United Meth Creditor: State of Indiana Amount: \$58.37 and any other amounts due thereunder.**
11. **Subject to the following restriction of record in Deed Book 170, Page 246: Deed that said premises shall be used, kept and maintained as a place of divine worship of the Methodist ministry and members of the Methodist Church, of record in Deed Book 162, Page 523, in the Office of the Recorder of Clark County, IN.**

12. **Subject to the following restriction of record in Deed Book 170, Page 246: Subject to the "Discipline" usage, and ministerial appointments of said church as from time to time authorized and declared by the General Conference and by the Annual Conference within whose bounds the said premises are situated. This provision is solely for the benefit of the grantees, and the grantors reserves no right or interest in said premises, of record in Deed Book 162, Page 523, in the Office of the Recorder of Clark County, IN.**
13. **Provide the seller's Corporate Resolution for The Trustees of Morton Memorial United Methodist Church and verify authority to execute the proposed deed and that they are in good standing with the State of Indiana.**
14. **Provide a copy of the Articles of Incorporation and By-Laws and/or Charter, for Morton Memorial United Methodist Church, an Indiana corporation.**
15. **When dealing with a church generally, most matters, such as a conveyance of property, need to have a congregational meeting and approval is required. As well as, the same goes before the Board and approval is required. Please provide resolutions showing this matter was brought before both a congregational and board meeting and passed.**
16. **Also, provide authorization from the Morton Memorial United Methodist Church approving this conveyance of property.**

County Tax Collector: Clark County, Indiana, Treasurer, 501 East Court Avenue, Jeffersonville, IN 47130 (812-285-6205)

**SCHEDULE B - SECTION II
EXCEPTIONS**

Effective Date: **January 10, 2010, 08:00am**

- I. 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. 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 mortgage thereon covered by this Commitment.
 2. Any terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions of record, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.
 3. Rights or claims of parties in possession and easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the land.
 4. Any state of facts as would be disclosed by an accurate survey and inspection of the premises.
 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. Title to, and easements in, any portion of the land lying within any highways, roads, streets, or other ways.
 8. Heritage Title Services and its underwriter make no representation nor guarantee as to the sufficiency of the acreage set forth in the survey and/or the legal description provided to them, and the parties agree, herein, to indemnify and hold Heritage Title and its' underwriter harmless against any and all future claims involving acreage disputes.
 9. The 2010 County and all subsequent County Taxes are not yet due or payable.