

First American Title Insurance Company

COMMITMENT

SCHEDULE A

Address Reference: **3253 Wagon Gap Trail, Vestavia, AL**

Issuing Office File No.: **T-83966**
PE/dr

1. Effective Date: **September 16, 2010 at 8:00 am**

2. Policy or Policies to be issued: Amount
 - (a) Owners Policy **\$ To Be Determined**
Proposed Insured:
Any Purchaser

 - (b) Loan Policy
Proposed Insured:

3. Title to the fee simple estate or interest in said land is at the effective date hereof vested in:
Ross W. Vacarella and Josephine D. Vacarella

4. The land referred to in this Commitment is described as follows:
Lot 12, in Block 7, according to the Survey of Hidden Valley, 2nd Sector, as recorded in Map Book 65, Page 83, in the Office of the Judge of Probate of Jefferson County, Alabama.

Date: **September 22, 2010**
The Title Group Incorporated

By: 
(Authorized Signatory)

First American Title Insurance Company

COMMITMENT SCHEDULE B - PART 1 REQUIREMENTS

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The following requirements must be met:

1. Pay us the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Pay all taxes and/or assessments, levies and assessed against the land, which are due and payable.
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. Documents, satisfactory to us, creating the interest in the land and/or the mortgage to be insured, must be signed, delivered and recorded:
 - a) Execution and recordation, without intervening rights, of a warranty deed from Ross W. Vacarella and Josephine D. Vacarella (and spouse, when required by law), conveying the property described in Schedule "A" to Any Purchaser.

NOTE: This is an informational title commitment only. No policies of title insurance are to be issued hereunder. This is not to be construed as evidence of title, a title insurance policy or title guarantee. The maximum liability of the Company shall not exceed what is paid for this report.

6. We will require a statement from the Jefferson County Sewer Service Department stating that all sanitary sewer service charges are paid to date. (Please call 205-325-5390 and provide Parcel I.D. number or street address)
7. We require satisfactory proof all homeowner's association dues are paid in full, and a certificate of compliance, if applicable.
8. We will require a statement from the City Clerk of Vestavia Hills stating that there are no unpaid municipal improvement assessments, special dues, and specifically, but not limited to, garbage fees, against subject property.
9. Advalorem taxes for the tax year **2010 TO BE PAID IN FULL**, along with a storm water fee, and all other fees which may be due for this tax year under

Unit # 20-3543; Parcel # 40-06-4-004-008.000

Note: Said taxes not due and payable until October 1, 2010.

Advalorem taxes for the tax year **2009 are EXEMPT** under:

Unit # 20-3543; Parcel # 40-06-4-004-008.000

NOTE: The above tax information is provided for informational purposes only. Tax information has been based on the present assessment rolls, but is subject to any changes or future adjustments that may be made by the Tax Assessor or by the County's Board of Equalization. No liability is assumed for the accuracy of the amount of taxes paid or for any changes imposed by said county authority.

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SCHEDULE B - PART 2

EXCEPTIONS

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Part 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. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that 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. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. 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 and not shown by the Public Records.
5. Any mining or mineral rights leased, granted or retained by current or prior owners.
6. Taxes or assessments for **2010** and subsequent years and not yet due and payable.
7. Easements, restrictions and setback lines as shown on recorded map.
8. Restrictions appearing of record in Volume 6819, Page 531. NOTE: Covenants, conditions or restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Volume 631, Page 122.
10. Right of Way in favor of Alabama Power Company and Southern Bell Telephone & Telegraph Company by instrument(s) recorded in Volume 6818, Page 420.
11. Right of way granted to Alabama Power Company as set out in instrument(s) recorded in Real Volume 38, Page 80.