

Commitment Number: 93580

SCHEDULE A

1. Commitment Date: July 27, 2009 at 08:00 AM
2. Policy (or Policies) to be issued: Amount
 - (a) Owner's Policy (ALTA Own. Policy (06/17/06))
Proposed Insured:
TO BE DETERMINED (IN AMOUNT TO BE DETERMINED)
 - (b) Loan Policy (ALTA Loan Policy (06/17/06))
Proposed Insured:
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by
Susan King, Trustee of The Susan D. King Revocable Living Trust u/a May 31, 1996, amended and restated
July 6, 2005.
4. The land referred to in the Commitment is described as follows:
SEE EXHIBIT A ATTACHED HERETO

Tennessee Valley Title Insurance Co.

By: Tracey M. Axtell
Tracey M. Axtell

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**SCHEDULE B - SECTION I
REQUIREMENTS**

The following requirements must be met:

1. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.
2. Payment of all premiums and charges for policies, endorsement and services.
3. Furnish a properly executed Owner's Affidavit on attached form.
4. Furnish an accurate, current survey and surveyor's inspection report on attached form.
5. Satisfaction and release of record the UCC Financing Statement showing Regal Investment Company as "Debtor" and New York Life Insurance Co. as "Secured Party", dated January 20, 2004, and recorded in Record Book 2039, page 928, in the Register's Office for Blount County, Tennessee.
6. Satisfaction and release of record the UCC Financing Statement showing Regal Investment Company as "Debtor" and New York Life Insurance Co. as "Secured Party", dated March 1, 1993, and recorded in Trust Book 585, page 899, in the Register's Office for Blount County, Tennessee.
7. Cancellation and release of record the Deed of Trust from Regal Investment Company to Ronald I. Fieldman, Trustee for New York Life Insurance Co., in the original amount of \$2,700,000.00, dated March 1, 1993, and recorded in Trust Book 585, page 835, in the Register's Office for Blount County, Tennessee.
8. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:
 - a. Properly executed and acknowledged Deed from Susan King, Trustee of The Susan D. King Revocable Living Trust u/a dated May 31, 1996, as amended and restated July 6, 2005, vesting fee simple title in purchaser to be determined.

NOTE: We must be furnished evidence that the named Trustee of the The Susan D. King Revocable Living Trust is holding title in her capacity as Trustee pursuant to the terms and provisions of a viable trust agreement and that the named Trustee has full power of sale, without joinder of the beneficiaries of the aforementioned Trust.

**SCHEDULE B - SECTION I
REQUIREMENTS
(Continued)**

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NOTE: 2008 Blount County and Alcoa City taxes have been paid as follows:

CLT No. 047PA-026

Blount County paid in the amount of \$25,878.00

Alcoa City paid in the amount of \$24,369.24.

CLT No. 047PA-026.00.P001

Blount County paid in the amount of \$4,288.00

Alcoa City paid in the amount of \$4,120.24.

CLT No. 047PA-026.00.P002 (Catalina Health Resources)

Blount County paid in the amount of \$10.00

Alcoa City paid in the amount of \$9.83.

CLT No. 047PA-026.00.P005 (CVS)

Blount County paid in the amount of \$403.00

Alcoa City paid in the amount of \$379.55.

CLT No. 047PA-026.00.P007 (Suntrust)

Blount County paid in the amount of \$258.00

Alcoa City paid in the amount of \$242.97.

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**SCHEDULE B - SECTION II
EXCEPTIONS**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

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 interest or mortgage thereon covered by this Commitment.
2. The dower, curtesy, homestead, community property, or other statutory marital rights, if any, of the spouse of any individual insured.
3. Rights or claims of parties in possession not shown by the public records.
4. Easements, or claims of easements, not shown by the public records.
5. Any discrepancies, conflicts, encroachments, servitudes, shortages in area and boundaries or other facts which a correct survey would show.
6. 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.
7. Taxes and/or assessments levied or assessed against the subject property pursuant to the provisions of TCA 67-5-601, et seq., which have not been assessed and are not payable, as of the date of this Policy.
8. NOTE: Upon receipt of satisfactory Owner's Affidavit as required under Schedule B - Section 1, Items 3 and 6 hereinabove may be amended and/or deleted.
9. NOTE: Upon receipt of satisfactory survey and surveyor's inspection report as required under Schedule B - Section 1, Items 4 and 5 hereinabove may be amended and/or deleted.
10. Taxes for the year 2009, a lien, but not yet due or payable, and all taxes for subsequent years.
11. Matters depicted or disclosed by map of record in Small Plat Book 5, page 629, in the office of the Blount County Register of Deeds.
12. Terms and provisions of Lease Agreement between King Holding Company (Lessor) and The Kroger Co. (Lessee), dated March 5, 1980, and recorded in Misc. Book 54, page 996; as amended in Misc. Book 102, pages 21 and 76; and Continuation of Lease recorded in Misc. Book 103, page 415; and as amended in Misc. Book 103, page 418 and Misc. Book 110, page 27, all in the Register's Office for Blount County, Tennessee.
13. Declaration of Mutual Reciprocal Easements dated March 1, 1993, and recorded in Misc. Book 112, page 201; as corrected in Misc. Book 112, page 249, in the Register's Office for Blount County, Tennessee.
14. Terms and provisions of Agreement Concerning Storm Sewer Easements, dated June 7, 1965, and recorded in Misc. Book 28, page 389, in the Register's Office for Blount County, Tennessee.

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EXHIBIT A
PROPERTY DESCRIPTION

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

SITUATED in District Nine of Blount County, Tennessee, and being depicted as Tract I, on Plat of Correction of Three Tracts of Property of Regal Investment Company, recorded in Small Plat Book 5, page 629, in the Register's Office for Blount County, Tennessee; said tract being more particularly bounded and described as shown on plat of record aforesaid, to which plat specific reference is hereby made for a more particular description.

BEING part of that property conveyed to Susan King, Trustee of The Susan D. King Revocable Living Trust u/a May 31, 1996, amended and restated July 6, 2005, by Quit Claim Deed from H. G. King and wife, Susan King, dated November 10, 2005, and recorded in Record Book 2088, page 103, in the Register's Office for Blount County, Tennessee.