



**Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:**

Issuing Agent: Coffey County Land Title  
 Issuing Office: 424 Neosho, Burlington, KS 66839  
 Issuing Office's ALTA® Registry ID: 0001151  
 Commitment No.: SUTHERLAND 224-312  
 Issuing Office File No.: SUTHERLAND 224-312  
 Property Address: 0 1st, LeRoy, KS 66857

**SCHEDULE A**

1. Commitment Date: October 1, 2024 at 08:00 AM
2. Policy to be issued:
  - a. ALTA Own. Policy (06/17/06)  
 Proposed Insured:  
 Proposed Amount of Insurance:  
 The estate or interest to be insured: Fee Simple
  - b. ALTA Loan Policy (06/17/06)  
 Proposed Insured:  
 Proposed Amount of Insurance:  
 The estate or interest to be insured: Fee Simple
3. The estate or interest in the Land at the Commitment Date is: Fee Simple
4. The Title is, at the Commitment Date, vested in: Shane A. Sutherland, Successor Trustee, under the Eugene N. Sutherland Living Trust, dated July 31, 2017  
  
 MINERAL INTEREST:  
 Eugene N. Sutherland, a single person, and Donald D. Sutherland and Marjorie Sutherland, husband and wife..
5. The Land is described as follows:  
  
 The Southeast Quarter (SE¼) of Section Eighteen (18), in Township Twenty-three (23) South, Range Sixteen (16), East of the Sixth Principal Meridian, Coffey County, Kansas

**First American Title Insurance Company**

By:   
 Coffey County Land Title

*This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions.*

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### SCHEDULE B, PART I - Requirements

Commitment No.: SUTHERLAND 224-312

File No.: SUTHERLAND 224-312

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.

TO BE PAID TO THE TREASURERS OFFICE:

NONE.

TO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS:

1. A Deed executed by Shane A. Sutherland, Successor Trustee, under the Eugene N. Sutherland Living Trust, dated July 31, 2017 to TBD.

2. A New Mortgage if Necessary.

3. A Full Release of a Mortgage executed by Donald D. Sutherland and Marjorie L. Sutherland, husband and wife, and Eugene N. Sutherland and Jeanette E. Sutherland, husband and wife, to Farmers National Bank of Kansas in the amount of \$750,000.00, dated August 16, 1999, filed August 18, 1999 at 03:40 P.M., recorded in Book 174 Mtgs., Pages 170-175, in The Office of The Register of Deeds of Coffey County, Kansas.

TO BE FILED IN THE DISTRICT COURT:

NONE.

WE NEED THE FOLLOWING DOCUMENTS FOR OUR FILES:

1. A Signed and Notarized Owners Affidavit (at closing)

2. A Copy of the Eugene N. Sutherland Living Trust, dated July 31, 2017 and any amendments.(Copy in File)

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**SCHEDULE B**  
(Continued)

Commitment No.: SUTHERLAND 224-312  
File No.: SUTHERLAND 224-312

**SCHEDULE B, PART II - Exceptions**

**Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.**

The Policy will not insure against loss or damage resulting from the terms and conditions 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. Easements, or claims of easements, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law, unless such lien is shown by the Public Records at Date of Policy.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
7. The Lien of the General Taxes for the year 2024, and thereafter.
8. 2023 TAXES ON TAX I.D. NO. 107390 were \$571.86 and are PAID IN FULL.
9. A Warranty Deed executed by Eugene N. Sutherland, a single person, and Donald D. Sutherland and Marjorie Sutherland, husband and wife, to Eugene N. Sutherland, a single person, All transfers are for surface rights only. At the end of 20 years, if there is no production, the mineral rights will automatically revert to the surface rights owner. Dated May 22, 2017, filed May 22, 2017 at 04:15 P.M., recorded in Book 177 D, Pages 400-402, in The Office of The Register of Deeds of Coffey County, Kansas.
10. A Partial Release of Mortgage executed by Donald D. and Marjorie L. Sutherland, husband and wife, and Eugene N. and Jeanette E. Sutherland, husband and wife, to Farmers National Bank of Kansas A/K/A Farmers Bank, dated October 2, 2020, filed October 13, 2020 at 12:40 P.M., recorded in Book 300 Mtgs., Pages 240-242, in The Office of The Register of Deeds of Coffey County, Kansas.

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