

First American Title Insurance Company

Commitment Number: 93295

**SCHEDULE A**

1. Commitment Date: June 17, 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

First Tennessee Bank, N.A..

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

SEE EXHIBIT A ATTACHED HERETO

**Tennessee Valley Title Insurance Co.**

By:

  
Gordon L. Ownby, Jr.

First American Title Insurance Company

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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. 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 First Tennessee Bank, N.A., vesting fee simple title in purchaser(s) to be determined.

NOTE: 2008 Sevier County taxes in the amount of \$1,367.00 have been paid. CLT #037IB-111.01.

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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, courtesy, 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.

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.

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.

8. Taxes for the year 2009, a lien, but not yet due or payable, and all taxes for subsequent years.
9. Restrictive Covenants for Eagle Springs Resort, filed of record in Book 1225, page 783, as amended in Book 1466, page 702, and as modified by and subject to the Final Decree Quietting Title and Reforming The Eagle Springs Subdivision recorded in Book 2321, page 1, in the office of the Sevier County Register of Deeds, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607, of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
10. All applicable restrictions, easements, conditions, rights of way and building setback lines as shown on the Reformed Plat of Eagle Springs Subdivision recorded in Book LM6, page 118, and in the Final Decree Quietting Title and Reforming The Eagle Springs Subdivision recorded in Book 2321, page 1, in the office of the Sevier County Register of Deeds.

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**EXHIBIT A**  
**PROPERTY DESCRIPTION**

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

SITUATED in District Fourteen (14) of Sevier County, Tennessee, and being described as follows:

Approximately 32.51 acres on Eagle Springs Road, being shown as "Future Development (Area A-16)" on the final Reformed Plat of Eagle Springs Subdivision recorded in Book LM6, page 118, in the Register's Office for Sevier County, Tennessee, and further identified as Sevier County Tax Parcel 037IB-111.01, as shown on the tax maps in the Sevier County Tax Assessor's Office.

BEING part of that property vested in First Tennessee Bank, N.A., pursuant to Final Decree Quietting Title and Reforming the Eagle Springs Subdivision, recorded in Book 2321, page 1, in the Register's Office for Sevier County, Tennessee.