

Southern Title Insurance Corporation

COMMITMENT SCHEDULE A

Commitment Number: 10287

1. Commitment Effective Date: **July 30, 2010 at 07:59 PM**
2. Policy or Policies to be issued: Policy Amount
 - (a) ALTA Owner's Policy (ALTA Own. Policy (06/17/06))
Proposed Insured:
Furrow Auction Company, a Tennessee corporation *"to be determined"*
 - (b) ALTA Loan Policy (ALTA Loan Policy (06/17/06))
Proposed Insured:
3. The Fee Simple in the land described or referred to in this Commitment and covered herein is at said effective date vested, in:
Pinnacle National Bank
4. The land referred to in this Commitment is described as follows:
SEE SCHEDULE C ATTACHED HERETO

**SOUTHERN TITLE
INSURANCE CORP.**

WHITE & POLK, P.C.

By: _____

George H. White
GEORGE H. WHITE

Valid Only if Schedule B-I, B-II, and jacket are Attached.

**SCHEDULE B-SECTION I
REQUIREMENTS**

Commitment Number: 10287

File No.: 10287

The following are the requirements to be complied with:

1. Payment of all taxes through and including those for the year 2009.
2. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.

SCHEDULE B-SECTION II EXCEPTIONS

Commitment Number: 10287

File No.: 10287

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 interest or mortgage thereon covered by this Commitment.
2. The lien of the General Taxes for the year 2010 and thereafter.
3. The lien of any Special Taxes or assessments entered after the date hereof.
4. Rights or claims of parties in possession not shown by the public records.
5. Easements, or claims of easements, not shown by the public record.
6. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Discrepancies, conflicts in boundary lines, shortage in area, encroachments and/or any facts that a correct survey and/or a physical inspection of the premises would disclose.
8. Any claim, loss or damage sustained by the insured, and the Company will not pay costs, attorney fees or expenses, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the estate or interest insured hereunder and/or the lien of any Insured Mortgage, is:
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer

Except where the preferential transfer results from the failure:

1. to timely record the instrument or transfer; or
 2. of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.
9. Subject to Homeowner's Association dues, fees or assessments, if any, not of the public record that are now due or may become due in the future.
 10. The 2010 Metropolitan Government of Davidson County real property taxes and taxes for subsequent years are a lien but are not yet due and payable.
 11. The 2009 Metropolitan Government of Davidson County real property taxes assessed to James Edward Underwood et ux, Map & Parcel 14300003600, in the amount of \$6,788.22, have been paid.
 12. The 2008 Metropolitan Government of Davidson County real property taxes and taxes for prior years have been paid.
 13. Subject to the minimum building setback lines, public utility and drainage easements, plat notes and all other matters shown on the plat of record in Book 4715, page 181, of the Register's Office of Davidson County, Tennessee.
 14. Easement for roadway and well as referenced in Book 4886, page 848, of said Register's Office.
 15. Utility Easement contained in Council Bill No. 092-303 as referenced in Book 8816, page 759, of said Register's Office.
 16. Agreement for Dedication of Easement for Stormwater Drainage and Appurtenances of record in Record Book 20081124-0115045, of said Register's Office.

**SCHEDULE B-SECTION II
EXCEPTIONS**
(Continued)

Commitment Number: 10287

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17. Inspection and Maintenance Agreement for Private Storm Water Management Facilities of record in Instrument No. 20081124-0115030, of said Register's Office.
18. As to Parcel 2, Tract III only: Subject to a Deed of Trust from James Edward Underwood and Camille P. Underwood to Ashley P. Hill, Trustee, securing an indebtedness in the amount of \$100,000.00 payable to Franklin Synergy Bank and appearing of record in Instrument No. 20091016-0096020, of said Register's Office.
19. Title to that portion of the subject property embraced within the bounds of roads, highways, easements and rights-of-way, including the right-of-way for Highway 70 South.
20. No insurance is afforded as to the exact amount of acreage contained within the bounds of the subject property.

SCHEDULE C PROPERTY DESCRIPTION

Commitment Number: 10287

File No.: 10287

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

Real property located in Davidson County, Tennessee and being more particularly described as follows, to-wit:

PARCEL 1:

TRACT I: Being Lot No. 1 on the Plan of E. Porter Property, of record in Book 4715, page 181, Register's Office for Davidson County, Tennessee, described as follows:

Beginning at a point in the northerly margin of Harding Pike, said Point being the southwest corner of the A.T. Levine Property; thence South 59 degrees 46'01" West 190.75 feet along the northerly margin of Harding Pike to a point; thence North 38 degrees 23' 20" West 17.16 feet to a point; thence North 73 degrees 56' 01" West 72.13 feet to a point; thence North 46 degrees 56' 10" 32.56 feet to a point; thence North 16 degrees 59' 16" West 169.01 feet to a point; thence North 59 degrees 46' 01" East 438.73 feet to a post; thence South 10 degrees 07' 47" West 347.56 feet to the point of beginning and containing 2.08 acres, more or less.

TRACT II: A tract of land approximately one mile East of Old Hickory Boulevard bounded on the North by Old Harding Pike, on the South by U.S. Highway 70 and being more particularly described as follows:

Beginning at a point in the northerly margin of U.S. Highway 70 at approximately Highway Station 42 and 40; thence, leaving said margin North 10 degrees 00' West, 10.09 feet to a point in the southerly margin of Old Harding Pike; thence, with a southerly margin of Old Harding Pike, North 54 degrees 52' East, 134.79 feet to a point; thence, leaving said margin of Old Harding Pike, South 5 degrees 10' West, 40.78 feet to a point in the northerly margin of U.S. Highway 70; thence, along U. S. Highway 70 in a westerly direction with a curve to the left having a central angle of 0 degrees 34' 10", a radius of 11,559.16 feet and a tangent of 57.41 feet for a distance of 14.83 feet to the point of beginning, containing 2.647 square feet or 0.06 acres, more or less.

TRACT III: All that portion of the northerly ½ of Old Harding Pike lying between the direct extensions southerly of the most southern westerly line and the easterly line of Lot No. 1 as shown on the Plan of the E. Porter Property, of record in Book 4715, page 181, said Register's Office, said portion of Old Harding Pike being closed by Metro Council Bill No. 092-303.

PARCEL 2:

TRACT I: Land in Davidson County, Tennessee, being Lot No. 2, E. Porter Property, of record in Book 4715, page 181, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate legal description.

TRACT II: Being a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, located on the northerly margin of Old Harding Road east of said road's intersection with the north margin of U.S. Highway 70-S and being more particularly described as follows:

Beginning at a concrete monument in the northerly margin of Old Harding Road; said monument being the southwest corner of James Underwood of record in Deed Book 8455, page 697, RODCT, and recorded in Plat Book 4715, page 181, Register's Office for said County; thence leaving said northerly margin, with Underwood's west line, N 19 degrees 19' 50" W 120.31 feet to a point in an old fence; thence with said fence, S 30 degrees 15' 39" E, 36.10 feet to an existing iron pin; thence S 29 degrees 23' 28" E 78.69 feet to a corner post in the north margin of Old Harding Road; thence with said margin, S 50 degrees 57' 35" W 21.87 feet to the point of beginning, containing 1260 square feet or 0.03 acres, more or less.

SCHEDULE C
PROPERTY DESCRIPTION
(Continued)

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TRACT III: All that portion of the northerly ½ of Old Harding Pike lying between the direct extensions southerly of the most southerly westerly line and the easterly line of Lot No. 2 as shown on the Plan of the E. Porter Property of record in Book 4715, page 181, Register's Office for said County, said portion of Old Harding Pike being closed by Metro Council Bill No. 092-303.

Being the same property conveyed to Pinnacle National Bank by deed from George H. White, Successor Trustee, appearing of record in Instrument No. 20100405-0025076, of the Register's Office of Davidson County, Tennessee.

Parcel 1: This property has an address of 6922 Highway 70 S, Nashville, Tennessee 37221.
Parcel 2: This property has an address of 6930 Highway 70 S, Nashville, Tennessee 37221.