



PRELIMINARY TITLE SEARCH REPORT

Prepared By:
Security 1st Title
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Contact: **Caren Dressler**
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Report No: **2516413**

Report Effective Date: **March 14, 2022, at 7:30 a.m.**

Property Address: **201 & 205 W. Harrington St, Augusta, KS 67010**

This Title Search Report is NOT a commitment to insure and is not to be construed as an Abstract of Title or Title Opinion. It has been issued as a Report as to the status of title for the specific benefit of , and as such should not be relied upon by any other party for any Real Estate Transaction. Any and all loss or damage that may occur by reason of any errors and omissions in this Company's Report is limited to \$1,000.00 and the fee it received for the preparation and issuance of this report, if any.

1. **Fee Simple** interest in the Land described in this Report is owned, at the Report Effective Date, by

Gerald D. Bird and Sharon F. Bird
and

any other members and their spouses, if any, at the time of forfeiture of Gerald Bird Rentals LLC in 2018

2. The Land referred to in this Report is described as follows:

That part of Reserve 1, RUSSELL AND BUCK'S ADDITION, to the Town, now City of Augusta, described as Beginning at a point that is 491 2/3 feet South and 336 feet West of the Northeast Corner of said Reserve; thence West 117 feet; thence South 388 1/3 feet; thence East 117 feet; thence North 388 1/3 feet to the Place of Beginning, Butler County, Kansas.

3. If asked to issue a title insurance commitment for a potential buyer of the subject property, the commitment would include the following requirements, along with any other matters that may arise after the date of this report:

1. The Proposed Insured must notify the Company in writing of the name of any



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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.
5. **Dismiss and pay costs as to Mortgage Foreclosure set out in Butler County District Court Case Number 22CV40, filed March 2, 2022, entitled Bank of America, NA, Plaintiff vs. Gerald D. Bird; Sharon F. Bird; Gerald Bird Rentals, LLC; John Doe and Mary Doe, Defendant, which is currently PENDING.**
6. **Affidavit stating who the members were of Gerald Bird Rentals, LLC, in 2018 when the LLC forfeited.**
7. **File a release of the Mortgage dated November 6, 2000, recorded November 20, 2000, as Book 963, Page 209, made by Gerald D. Bird and Sharon F. Bird, married to each other, to Bank of America, NA, in the amount of \$40,000.00.**
8. **File a release of the Mortgage dated April 20, 2001, recorded May 8, 2001, as Book 988, Page 93, made by Gerald D. Bird and Sharon F. Bird, to Bank of America, NA, in the amount of \$81,261.00.**
9. **File a Warranty Deed from Members and their spouses, if any, at the time of forfeiture of Gerald Bird Rentals LLC in 2018 and Gerald D. Bird and Sharon F. Bird, stating marital status and joined by spouse, if any, to To Be Determined.**
10. **Provide this Company with a properly completed and executed Owner's Affidavit.**
11. **Recording Fees and Information for Kansas Counties:**

Deed: \$21.00 (first page) + \$17.00 (each additional page)
Mortgage: \$21.00 (first page) + \$17.00 (each additional page)
Mortgage Release: \$20.00 (first page) + \$4.00 (each additional page)
Mortgage Assignment: \$20.00 (first page) + \$4.00 (each additional page)

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The above fees do not include all documents that may be filed in each county. Some fees may vary. For a full list of recording fees, services and format requirements, please contact the Register of Deeds Office for the specific county in question.

(NOTE: Beginning January 1, 2019, Mortgage Registration Tax is no longer required in the State of Kansas.)

NOTE: The State of Kansas requires that any deed transferring real estate must be accompanied by a Real Estate Validation Questionnaire. This form must be executed by either the Grantor (Seller) or the Grantee (Buyer). Certain exemptions do apply. The official form can be obtained from the Register of Deeds or from Security 1st Title. Photocopies of the official form will not be accepted.

NOTE: For documents electronically recorded, there is an additional third-party service fee of \$5.00 per document, which is in addition to the County recording fees.

4. If asked to issue a title insurance commitment for a potential buyer of the subject property, the commitment would include the following exceptions, along with any other matters that may arise after the date of this report:
 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 and not shown by the Public Records.



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6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records

7. **General taxes and special assessments for the fiscal year 2021 in the original amount of \$2,596.62.**
First Installment: \$1,298.31, Delinquent, penalties and interest to be determined
Second Installment: \$1,298.31, Due but not delinquent until May 10, 2022
Property I.D. # 002-2142000
PIN #002-2142000

Dated: **March 14, 2022**, at **7:30 a.m.**

SECURITY 1ST TITLE

A handwritten signature in black ink, appearing to read "Seth A. Brown".

By: _____

LICENSED ABSTRACTER