



PRELIMINARY TITLE SEARCH REPORT

Prepared By:
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Prepared Exclusively For:
Sudduth Realty, Inc. (Realty Executives)
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Report No: **2537453**

Report Effective Date: **July 22, 2022, at 7:30 a.m.**

Property Address: **109 N. Davidson Ave., Bentley, KS 67016**

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 **Sudduth Realty, Inc. (Realty Executives)**, 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

Simon and Sons, LLC
2. The Land referred to in this Report is described as follows:

Lots 121, 123, 125 and 127, on Davidson Avenue, Town of Bentley, Sedgwick 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 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.



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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. **The application for title insurance does not give the name of the prospective purchaser. We reserve the right to make any additional requirements we deem necessary when such name is ascertained.**
6. **Our search of the public records does not disclose a mortgage/deed of trust on the property. We must be advised if you have any knowledge of an unreleased mortgage/deed of trust, recorded or unrecorded. The Company reserves the right to make such further requirements as it deems necessary.**
7. **Furnish for examination an authentic copy of the articles of organization of Simon & Sons, LLC, a limited liability company, together with proof that there has been no amendment to the articles of organization, or if there have been such amendments, furnish authentic copies thereof.**

Furnish for examination an authentic copy of the operating agreement, and of any amendments thereto, of Simon & Sons, LLC, a limited liability company.

We reserve the right to make any additional requirements we deem necessary.

8. **Any instrument to be executed by Simon & Sons, LLC must:**
 - a. Be executed in the limited liability company's name, and
 - b. Be signed by all the members if management has been retained by the members (in the alternative one member can sign the documents and the rest can sign a separate consent form), or by such managers or other persons as provided in the operating agreement, if said document creates a lower approval threshold.
9. **File a Warranty Deed from Simon and Sons, LLC a Kansas limited liability company a/k/a Simon & Sons LLC, a Kansas limited liability company to TBD.**
10. **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)



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Mortgage Release: \$20.00 (first page) + \$4.00 (each additional page)

Mortgage Assignment: \$20.00 (first page) + \$4.00 (each additional page)

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



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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.
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 \$1,639.40, PAID.**
Property I.D. # EA-BE-00070
PIN #00259825
8. **Easements, if any, for public utilities installed in, under, or upon the vacated street prior to the vacation thereof, and for which no notice appears in the Official Records.**
9. **Order vacating the alley between Main and Midland Streets on the north and south and Wichita and Davidson Avenues on the east and west in the City of Bentley, filed on [Film 2204, Page 658](#). (Said instrument refers to Burnett's Addition)**
10. **An easement for public roadway, sidewalk, public utilities and drainage, recorded as [Film 1945, Page 538](#).**
In favor of: City of Bentley
Affects: a portion of subject property
11. **Rights of parties in possession under unrecorded leases.**

Dated: **July 22, 2022, at 7:30 a.m.**

SECURITY 1ST TITLE

By: 

LICENSED ABSTRACTER