

CODE: YELLOW

Number: 63-570552

Commitment for Title Insurance

CHICAGO TITLE INSURANCE COMPANY

Chicago, Illinois 60602

THE PHILIP F. GRECO TITLE COMPANY

118 Cass Avenue, Mount Clemens, Michigan 48043

Phone (586) 463-7200/Fax (586) 463-6114

CHICAGO TITLE INSURANCE COMPANY, a Missouri Corporation, hereby agrees to issue a policy of Title Insurance as hereinafter set forth upon satisfactory compliance with the requirements herein set forth and upon payment of the prescribed premium. If any requirement is not satisfied, the title policy will be issued subject to the exception which would otherwise be eliminated by compliance with such requirement. The policy will also contain exceptions as to matters affecting the title to subject property which may arise after the date hereof and which have not been eliminated to our satisfaction. All policies are subject to the printed exceptions contained in the policy form. Owners' and Loan Policies With Exceptions will be issued with general exceptions as shown on the last page hereof.

FORM OF POLICY TO BE ISSUED

Owner's Policy: \$1,000.00

PARTY TO BE INSURED

CITY OF ROCHESTER

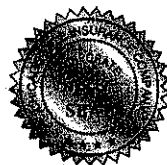
DESCRIPTION OF REAL ESTATE

Situated in the City of Rochester Hills, Oakland County, Michigan, described as:

Part of the southwest quarter of section 15, town 3 north, range 11 east, Avon Township, Oakland County, Michigan and being described as: Beginning on the west line of section 15, north 60.00 feet from the southwest corner of section 15, said point being on the north right of way line of Avon Road (120.00 feet wide as conveyed to the Oakland County Road Commission in liber 4503, page 113 of Deed, Oakland County Records); thence continuing north 410.00 feet along the west line of section 15 to the centerline of Clinton River; thence easterly along the centerline of the Clinton River the following six (6) courses and distances: North 39 degrees 19 minutes 00 seconds 87.73 feet, north 71 degrees 10 minutes 00 seconds east 108.33 feet, south 54 degrees 09 minutes 00 seconds east 151.28 feet, south 71 degrees 36 minutes 00 seconds east 87.35 feet, south 57 degrees 41 minutes 00 seconds east 104.84 feet and north 66 degrees 33 minutes 00 seconds east 80.00 feet; thence south 04 degrees 17 minutes 56 seconds east 373.07 feet to the north right of way line of Avon Road; thence south 89 degrees 55 minutes 36 seconds west 553.49 feet along the north right of way line of Avon Road to the point of beginning. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

****WARNING** THE REGISTER OF DEEDS OFFICES WILL NO LONGER ACCEPT ANY**

CHICAGO TITLE INSURANCE COMPANY



By:

Agnes M. P. L.

President

ATTEST

Tom C. J.

Secretary

DOCUMENTS FOR RECORDING WITHOUT THE FOLLOWING TAX IDENTIFICATION NUMBER(S) AND THE COMMONLY KNOWN ADDRESS APPEARING ON THE FACE OF SAID DOCUMENT(S).

**NOTE: THE FOLLOWING RECORDING FEE INCREASES ARE NOW IN EFFECT:
FIRST PAGE OF A DOCUMENT: \$14.00 (\$15.00 WAYNE COUNTY)
EACH ADDITIONAL PAGE: \$3.00**

Parcel Identification No. 15-15-352-002
Commonly known as: 900 WEST AVON ROAD

OWNER, ENCUMBRANCES, EXCEPTIONS TO TITLE, UNPAID TAXES AND REQUIREMENTS FOR ISSUANCE OF POLICY:

1. Owner: RIVERCREST LAND LLC

Subject to the Interest of the wife of Anthony Tocco, Grantor in Warranty Deed as a married man, recorded in liber 37767, page 66, Oakland County Records.

RECORD DEED FROM THE WIFE OF ANTHONY TOCCO INTO CHAIN OF TITLE.

REQUIREMENT: SUBMIT RECEIPTED COPY OF A CERTIFICATE OF FACT STATUS OF RIVERCREST LAND LLC, A MICHIGAN LIMITED LIABILITY COMPANY, ISSUED BY THE MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

REQUIREMENT: RECEIPT OF A CERTIFIED COPY OF THE OPERATING AGREEMENT OF RIVERCREST LAND LLC, A MICHIGAN LIMITED LIABILITY COMPANY. FURTHER REQUIREMENTS MAY BE MADE UPON REVIEW OF THE OPERATING AGREEMENT.

RECORD DEED FROM ABOVE OWNER TO THE PARTY TO BE INSURED.

2. Mortgage in the face amount of \$450,000.00, executed by Anthony Tocco and Michelle Tocco, his wife, to First of America Bank-Southeast Michigan, N.A., now known as National City Bank of Michigan/Illinois, dated November 13, 1989, and recorded November 21, 1989, in liber 11159, page 317 and modified in liber 18500, page 313, Oakland County Records.

REQUIREMENT: RECORD DISCHARGE OF ABOVE MORTGAGE OR SAID MORTGAGE WILL APPEAR ON FINAL POLICY.

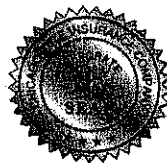
3. Mortgage in the face amount of \$150,000.00, executed by Anthony Tocco and Michele Tocco, his wife, to Ignazio Rallo, dated October 31, 1989, and recorded November 21, 1999, in liber 11159, page 325, Oakland County Records.

REQUIREMENT: RECORD DISCHARGE OF ABOVE MORTGAGE OR SAID MORTGAGE WILL APPEAR ON FINAL POLICY.

4. Assignment of Rents and Leases from Anthony Tocco, to First of America Bank-Southeast Michigan, N.A., now known as National City Bank of Michigan/Illinois, as recorded in liber 11159, page 328, and modified in liber 18500, page 313, Oakland County Records.

RECORD A RELEASE THEREOF OR ABOVE WILL APPEAR ON FINAL POLICY.

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- 5. Subject to the Eighteen Foot easement granted to Oakland County Department of Public Works for sanitary sewer, as set forth in instrument recorded in liber 3964, page 586, Oakland County Records.
- 5. Subject to the terms and conditions of a certain Dedication of Cross-Easements, as recorded in liber 8691, page 515, Oakland County Records.
- 6. Subject to an Easement granted to the County of Oakland for sanitary sewer, as set forth in instrument(s) recorded in liber 5098, page 757, Oakland County Records.
- 7. Subject to the easement granted to Michigan Christian Junior College, Inc., a Michigan Non-Profit Corporation, to put, operate and maintain a pond feed line (water pipe) as set forth in instrument recorded in liber 6036, page 541, Oakland County Records.
- 8. Subject to an Easement in favor of the Board of County Road Commissioners of the County of Oakland, State of Michigan, as set forth in instrument(s) recorded in liber 6102, page 303, Oakland County Records.
- 9. Subject to the rights of the public and abutting riparian owners in Clinton River running across the rear of subject property.
- 10. Subject to the terms and conditions of a certain Consent Judgment recorded April 4, 1984, as recorded in liber 8634, page 60 and amended in liber 11032, page 38, Oakland County Records.
- 11. 2006 Summer Taxes: PAID, \$9,986.04.

2006 Winter Taxes: DUE, \$9,118.65, not including penalties and interest.


PLEASE NOTE: When paying an outstanding Water, Sewer, Special Assessment Bill or Property Tax Bill, prior to closing please note the following:

- 1. Payments of the final Water Bill or Property Taxes must be made by CASH, CASHIER'S CHECK OR BANK MONEY ORDER ONLY.
- 2. Bring a copy of the certified check used to pay that bill(s) to closing.
- 3. Bring a copy of the Water Bill or Property Tax Bill to closing with the paid receipt.
- 4. If a bill is paid by personal check, an escrow in that amount will be held until the check clears and our staff can confirm the bill has been posted as paid with municipality or county.

NOTE: Notwithstanding any provisions of the policy or commitment to the contrary, the Company makes no representation or assurance regarding compliance or non-compliance with the provisions of PA 591 of 1996. (Note: PA 591 of 1996 revises the Subdivision Control Act). The above is shown for informational purposes only and will not appear on the final policy.

TAXES AND SPECIAL ASSESSMENTS WHICH CONSTITUTE A LIEN, BUT ARE NOT YET DUE AND PAYABLE.

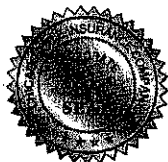
NOTE: PLEASE DIRECT ANY QUESTIONS YOU MAY HAVE REGARDING THIS COMMITMENT TO THE EXAMINER: DEBBIE DeKIERE AT (586) 493-5532.

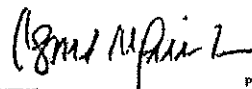
Countersigned: 
Authorized Licensed Signatory

Dated at: Mount Clemens, Michigan
January 05, 2007 at 8 A.M.

CHICAGO TITLE INSURANCE COMPANY

By:





President

ATTEST



Secretary

This Commitment is valid and binding for a period of 150 days from the date thereof.
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**REQUIREMENTS FOR ISSUANCE OF POLICY AND STATEMENT AS TO
GENERAL EXCEPTIONS ATTACHED TO AND MADE PART OF COMMITMENT
FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY
THROUGH IT'S AGENT, THE PHILIP F. GRECO TITLE COMPANY**

REQUIREMENTS FOR ISSUANCE OF LOAN POLICIES:

FOR ALL LOAN POLICIES:

Requirement: Estoppel certificate on form provided by this company signed by or on behalf of all mortgagors acknowledging receipt of the mortgage consideration and making representations as to the ages of individual mortgagors and such other matters as are therein set forth.

FOR ALTA LOAN POLICIES WITHOUT EXCEPTIONS:

Requirement: Proper sworn statements and waivers showing payment or release of all lien rights covering improvements made on subject land in the last 90 days or satisfactory proof that no improvements have been made within the last 90 days.

Requirement: Satisfactory survey by an approved surveyor showing no variation in location or dimensions, encroachments, or adverse rights, and such evidence of possession as may be required.

PROVISIONS APPLICABLE TO ALL COMMITMENTS:

This Commitment is delivered and accepted upon the understanding that the party to be insured has no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting subject property other than those set forth herein and in the title insurance application. Failure to disclose such information shall render this Commitment and any policy issued pursuant thereto, null and void as to such defect, objection, lien or encumbrance.

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: 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.

GENERAL EXCEPTIONS WHICH APPEAR UNDER SCHEDULE B ON:

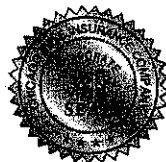
Owner's Policies:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
3. Easements or claims of easements not shown by the public records and existing water, mineral, oil and exploration rights.
4. 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.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Restrictions upon the use of the premises not appearing in the chain of title.

Loan Policies With Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
3. 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.

CHICAGO TITLE INSURANCE COMPANY



By:

Alma M. P. L.

President

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