



Security 1st Title

PRELIMINARY TITLE SEARCH REPORT

Prepared By:
Security 1st Title
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Prepared Exclusively For:
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Report No: **2492291A-12**

Report Effective Date: **December 7, 2021, at 7:30 a.m.**

Property Address: **00000 S. Auburn Rd., Osage City, KS 66523**

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 **Sundgren Realty**, 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

[Paulette J. Lyman, Trustee of the Paulette J. Lyman Trust dated July 27, 1990](#)



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Phone: **620-365-5546**, Email: **ssmith@security1st.com**

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

All that part of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 2, Township 16 South, Range 14 East of the 6th P.M., Osage County, Kansas, lying West of the Atchison, Topeka and Santa Fe Railroad; and

All that part of the East 60 acres of the South 1/2 of the Southeast 1/4 of Section 2, Township 16 South, Range 14 East of the 6th P.M., Osage County, Kansas, lying West of the Atchison, Topeka and Santa Fe Railroad; and

The West 20 acres of the South 1/2 of the Southeast 1/4 of Section 2, Township 16 South, Range 14 East of the 6th P.M., Osage County, Kansas; and

All that part of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 2, Township 16 South, Range 14 East of the 6th P.M., Osage County, Kansas, lying East of the Atchison, Topeka and Santa Fe Railroad; and

All that part of the East 60 acres of the South 1/2 of the Southeast 1/4 of Section 2, Township 16 South, Range 14 East of the 6th P.M., Osage County, Kansas, lying East of the Atchison, Topeka and Santa Fe Railroad and North of the center line of Smith Creek.

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.
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.



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5. **Furnish for our approval a Certification of Trust that is given pursuant to KSA 58a-1013 of the Kansas Uniform Trust Code, which may be executed by any of the current trustees of the Paulette J. Lyman Trust dated July 27, 1990.**

In the alternative, we may be provided with a copy of said Trust together with all amendments thereto. We reserve the right to make any additional requirements we deem necessary.

6. **File a Trustee's Deed from the current acting trustees of the Paulette J. Lyman Trust dated July 27, 1990, as amended to To Be Determined.**
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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.
 6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records



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7. **General taxes and special assessments for the fiscal year 2021 in the original amount of \$813.28.**
First Installment: \$406.64, Due, but not delinquent until December 20, 2021.
Second Installment: \$406.64, Due, but not delinquent until May 10, 2022.
Property I.D. # [1-08051](#)
CAMA # [141-02-0-00-00-006.00-0-01](#)
8. **Subject to existing road, street or highway rights of way.**
9. **Terms and provisions of the oil and gas lease executed between The Cherokee & Pittsburg Coal and Mining Company, a Kansas corporation, lessor, and Santa Fe Land Improvement Company, a California corporation, lessee, for a primary term of 99 years, filed August 23, 1946, recorded in/on [Book 29 Misc., Page 494](#), together with all subsequent assignments and conveyances.**

NOTE: If there is no production of oil and gas from all of the property covered by the above lease; if any set terms including options to renew in the lease have expired; and if a properly executed Affidavit of Non-Production is recorded, the above exception will not appear on the policy to be issued.
10. **Easement granted to The Kansas Power and Light Company, as set forth in the instrument filed as [Book M 3, Page 390](#).**

Dated: **December 7, 2021**, at 7:30 a.m.

SECURITY 1ST TITLE

By: _____

LICENSED ABSTRACTER