

CERTIFICATE OF TITLE

File No: C1108023

Charge: \$175.00

Date Typed: 8/5/2011 Updated & revised 9-19-11 slf

Prepared For: Silver Lake Bank

Records Searched To: September 12, 2011 at 8:00 a.m.

1. ACCORDING TO THE PUBLIC RECORDS, THE GRANTEE SHOWN ON THE LAST DEED FILED FOR RECORD IS:

RAKD, LLC.

2. LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 in Block 1, **AND** Lot 1 and Lot 11 in Block 5, **AND** Lots 1, 2, 3 and 4 in Block 7, all being in HONEYCREEK FARMS, a subdivision in the City of Basehor, Leavenworth County, Kansas according to the recorded plat thereof.

3. MORTGAGES:

A) Mortgage dated November 18, 2005, executed by RAKD, LLC, in favor of Silver Lake Bank, securing the principal amount of \$4,000,000.00. Recorded November 21, 2005 at 11:32AM in Book 969, Page 296, in the office of the Register of Deeds, Leavenworth County, Kansas.

4. EASEMENTS AND RESTRICTIONS:

A) Subject to the terms and conditions of an Easement executed in favor of The Kansas Electric Power Company as recorded September 8 1946 in Book 344 Page 470 in the office of the Register of Deeds, Leavenworth County, Kansas.

B) Subject to the terms and conditions of a Right of Way Easement executed in favor of the Kansas Power and Light Company as recorded May 11, 1960 in Book 430, Page 87 in the office of the Register of Deeds, Leavenworth County, Kansas. Partial Release and Modification of Right of Way filed September 9, 2011, as Document #2011R06867; as Document #2011R06871 and as Document #2011R06873.

C) Subject to the terms and conditions of a Drainage Easement executed by and between Dan C. Tucker and Jacquelyn E. Tucker, Trustees of the Dan C. Tucker Trust Under Trust Agreement dated November 29, 1989 and the Board of County Commissioners of Leavenworth County, Kansas as recorded March 15, 2000 in Book 786, Page 419 in the office of the Register of Deeds, Leavenworth County, Kansas.

D) Subject to the terms and conditions of a Permanent Easement executed by and between Dan C. Tucker and Jacquelyn E. Tucker, Trustees of the Dan C. Tucker Trust Under Trust Agreement dated November 29, 1989 and the Board of County Commissioners of Leavenworth County, Kansas as recorded March 15, 2000 in Book 786, Page 418 in the office of the Register of Deeds, Leavenworth County, Kansas.

E) Subject to the terms and conditions of Resolution 2004-6 executed by the City of Basehor as recorded February 26, 2004 in Book 908, Page 1143 in the office of the Register of Deeds, Leavenworth County, Kansas.

F) Subject to easements, restrictions and setback lines, as per plat, Plat Book 15, Page 60.

CERTIFICATE OF TITLE

G) Subject to building restrictions and restrictions as to use and occupancy, easements and setback lines (if any), as set forth in Declaration of Restrictions recorded in the records of Leavenworth County at Book 927, Page 1370.

NOTE: This exception omits any covenant, condition or restrictions based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

5. TAXES:

The following Real Estate Taxes for the year 2007 are unpaid and DELINQUENT:

Code #33399- \$3,089.26 (Lot 1, Block 1)
Code #33400- \$3,116.18 (Lot 2, Block 1)
Code #33401- \$2,286.46 (Lot 3, Block 1)
Code #33402- \$2,793.32 (Lot 4, Block 1)
Code #33403- \$3,178.02 (Lot 5, Block 1)
Code #33404- \$2,023.36 (Lot 6, Block 1)
Code #33405- \$2,010.02 (Lot 7, Block 1)
Code #33406- \$2,009.66 (Lot 8, Block 1)
Code #33407- \$2,129.28 (Lot 9, Block 1)
Code #33408- \$1,535.30 (Lot 10, Block 1)
Code #33409- \$2,856.78 (Lot 11, Block 1)
Code #33410- \$1,864.18 (Lot 12, Block 1)
Code #33411- \$1,057.22 (Lot 12, Block 1)
Code #33412- \$1,799.56 (Lot 13, Block 1)
Code #33413- \$2,887.28 (Lot 14, Block 1)
Code #33414- \$2,229.38 (Lot 15, Block 1)
Code #33483- \$3,279.06 (Lot 1, Block 5)
Code #33484- \$3,076.50 (Lot 11, Block 5)
Code #33487- \$1,967.56 (Lot 1, Block 7)
Code #33488- \$2,294.12 (Lot 2, Block 7)
Code #33489- \$7,584.22 (Lot 3, Block 7)
Code #33490- \$1,891.22 (Lot 4, Block 7)

The following Real Estate Taxes for the year 2009 are unpaid and DELINQUENT:

Code #33399- \$3.24 (Lot 1, Block 1)
Code #33400- \$3.64 (Lot 2, Block 1)
Code #33401- \$2.83 (Lot 3, Block 1)
Code #33402- \$4.05 (Lot 4, Block 1)
Code #33403- \$8.91 (Lot 5, Block 1)
Code #33404- \$3.24 (Lot 6, Block 1)
Code #33405- \$2.38 (Lot 7, Block 1)
Code #33406- \$1.62 (Lot 8, Block 1)
Code #33407- \$1.62 (Lot 9, Block 1)
Code #33408- \$2.43 (Lot 10, Block 1)
Code #33409- \$3.24 (Lot 11, Block 1)
Code #33410- \$2.02 (Lot 12, Block 1)
Code #33411- \$1.21 (Lot 12, Block 1)
Code #33412- \$1.62 (Lot 13, Block 1)
Code #33413- \$2.02 (Lot 14, Block 1)
Code #33414- \$2.02 (Lot 15, Block 1)
Code #33483- \$2.43 (Lot 1, Block 5)
Code #33484- \$3.64 (Lot 11, Block 5)
Code #33487- \$1.62 (Lot 1, Block 7)
Code #33488- \$2.43 (Lot 2, Block 7)
Code #33489- \$13.36 (Lot 3, Block 7)
Code #33490- \$1.62 (Lot 4, Block 7)

The following Real Estate Taxes for the year 2010 are unpaid and DELINQUENT:

Code #33399- \$2.87 (Lot 1, Block 1)
Code #33400- \$3.70 (Lot 2, Block 1)
Code #33401- \$2.46 (Lot 3, Block 1)

CERTIFICATE OF TITLE

Code #33402- \$103.78 (Lot 4, Block 1)
Code #33403- \$108.70 (Lot 5, Block 1)
Code #33404- \$3.70 (Lot 6, Block 1)
Code #33405- \$2.87 (Lot 7, Block 1)
Code #33406- \$1.64 (Lot 8, Block 1)
Code #33407- \$101.30 (Lot 9, Block 1)
Code #33408- \$101.30 (Lot 10, Block 1)
Code #33409- \$102.54 (Lot 11, Block 1)
Code #33410- \$101.30 (Lot 12, Block 1)
Code #33411- \$100.94 (Lot 12, Block 1)
Code #33412- \$1.23 (Lot 13, Block 1)
Code #33413- \$101.72 (Lot 14, Block 1)
Code #33414- \$2.05 (Lot 15, Block 1)
Code #33483- \$102.54 (Lot 1, Block 5)
Code #33484- \$3.70 (Lot 11, Block 5)
Code #33487- \$101.30 (Lot 1, Block 7)
Code #33488- \$2.46 (Lot 2, Block 7)
Code #33489- \$113.22 (Lot 3, Block 7)
Code #33490- \$101.34 (Lot 4, Block 7)

6. PENDING LITIGATION AND/OR JUDGMENTS:

- A) In the office of the Leavenworth County Clerk of the District Court appears PENDING Suit to Foreclose Mortgage (Involves the subject property) Case No. 2011-CV-416, Silver Lake Bank, Plaintiff, vs. RAKD, LLC, et al, Defendants.
- B) In the office of the Leavenworth County Clerk of the District Court appears Notice of Lis Pendens Lien, Case No. 2011-SL-18 (Pending Law Suit in Shawnee County, Kansas) by Kaw Valley Bank.

As this report is furnished for a nominal fee, Capital Title Insurance Company, L.C. assumes no liability beyond the amount paid for this report. Please contact this office if further information is needed.

Compiled By:

Capital Title Insurance Company, L.C.
2641 SW Wanamaker Road, Ste 203
Topeka, Kansas 66614



Authorized Signature