



BISON TITLE COMPANY

First American Title Insurance Company

121 South Main Street
Lamar, Colorado 81052

Phone: (719) 336-2242

Fax: (719) 336-2581

E-Mail bisontitleco@bresnan.net

PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

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Bison Title Company

Closings ■ Escrows ■ Title Insurance

DISCLOSURE STATEMENT

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Nonresident withholding).

NOTE: Colorado Division of Insurance Regulations 3-5-1 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that First American Title Insurance Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Pursuant to C.R.S. 10-11-122, the company will not issue its policy or policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

NOTE: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- A. That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- B. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

NOTE: Pursuant to Colorado Division of Insurance Regulations 3-5-1, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium, fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTICE TO PROSPECTIVE BUYERS
OF SINGLE FAMILY RESIDENCES

(PURSUANT TO INSURANCE REGULATION 89-2)

A. "GAP" PROTECTION

When First American Title Insurance Company or its authorized agent, (hereinafter referred to as "Company"), is responsible for recording or filing the legal documents creating the estate or interest to be insured in a single family residence and for disbursing funds necessary to complete the transaction, the Company shall be responsible for any deeds, mortgages, lis-pendens, liens or other title encumbrances which first appear in the public records subsequent to the Effective Date of the Commitment but prior to the Effective Date of the Policy, provided the following conditions are satisfied prior to the Company's disbursement of the funds:

1. Properly executed documents creating the estate or interest are in the possession of the Company.
2. A fully executed Affidavit and Indemnity form signed by the seller and satisfactory to the Company is in the possession of the Company.

No Coverage will be afforded against deeds, mortgages, lis-pendens, liens or other title encumbrances actually known to the proposed insured prior to or at the time of recordation of the documents.

Public Records as used herein means those records established under state statutes for the purpose of imparting constructive notice of deeds, mortgages, lis-pendens, liens or other title encumbrances to purchasers for value and without knowledge.

B. MECHANICS' LIEN PROTECTION

If you are a buyer of a single family residence, you may request coverage against loss because of unrecorded claims asserted by construction, labor or material suppliers against your home.

If no construction, improvements or major repairs have been undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will be payment of the appropriate premium and the execution by the seller of an Affidavit and Indemnity form satisfactory to the Company.

If there have been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity Agreements satisfactory to the Company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which you have contracted or agreed to pay.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

RE: Commitment No. _____

**AFFIDAVIT AND INDEMNITY
TO FIRST AMERICAN TITLE INSURANCE COMPANY**

1. The is written evidence to you that there are no unpaid bills for materials or labor furnished for the construction and erection, repairs or improvements on property located at

and legally described as:

2. We further represent that there are no public improvements affecting the property prior to the date of closing that would give rise to a special property tax assessment against the property after the date of closing.

3. We further represent that there are no pending proceedings or unsatisfied judgments of records, in any Court, State or Federal, nor any tax liens filed against us. That if there are any judgments, bankruptcies, probate proceedings, state or federal tax liens of record against parties with same or similar names, they are not against us.

4. We further represent that there are no unrecorded contracts, leases, easements, or other agreements or interests relating to said premises of which we have knowledge.

5. We further represent that we are in sole possession of the real property described herein.

6. We further represent that there are no unpaid charges and assessments that could result in a lien in favor of any association of homeowners which are provided for in any document referred to in Schedule B.

The undersigned affiant(s) know the matters herein stated are true and indemnifies First American Title Insurance Company against loss, costs, damages and expenses of every kind incurred by it by reason of its reliance on the statements made herein.

This agreement is executed with and forms a part of the sale and/or financing of the above described premises, and is given in addition to the conveyance and/or financing of the premises in consideration for the conveyance and/or financing and forms a complete agreement by itself for any action thereon.

SELLER/OWNER

STATE OF COLORADO)
)ss.
COUNTY OF)

The foregoing instrument was acknowledged, before me this day of ,
by

My Commission Expires:

Notary Public

STATE OF COLORADO
BENT COUNTY

CERTIFICATE OF TAXES DUE
Thru Tax Year 2017

Certificate No 2018005
Printed 01/09/2018

Assessed Owner:

ROESCH JOHNNY D & TRUDY C (JT)
26395 ROAD MM
MCCLAVE CO 81057

SCHEDULE NUMBER 23004080 R
TAX DISTRICT 23-
ROLL PAGE 2158

* THIS IS VACANT LAND *

Ordered by: BISON TITLE CO

===== N O T I C E =====
I, the undersigned, County Treasurer in and for said County, do hereby certify that there are no unpaid taxes or unredeemed tax lien sale certificates, except as shown below, as appears of record in this office, on the following described property, to-wit:

TAXING ENTITIES	\$/THOUS	TAX	Acres:	80.00	
SCHOOL DISTRICT RE-2	24.498	406.03			
HASTY MCCLAVE FIRE D	5.500	91.16			2017 TAX AMT 1084.36
COUNTY GENERAL FUND	23.873	395.67			
COUNTY ROAD & BRIDGE	2.870	47.57			
COUNTY PUBLIC WELFARE	3.103	51.43			
COUNTY RETIREMENT FU	.750	12.43			
ABATEMENTS	.033	.55			
BENT PROWERS CEMETER	2.356	39.05			
S/E COLO WATER CONS	.939	15.56			
LOWER ARK VALLEY WAT	1.503	24.91			
TOTALS	65.425	1084.36			

LEGAL DESCRIPTION OF PROPERTY
W2SW4 (80 A)
72 SHARES FORT LYON WATER
REC# 1995-492

9-22-49

TOTAL IS CORRECT ONLY IF PAID BY: 04/30/2018 Total Now Due \$1,084.36

IN WITNESS WHEREOF; I have hereunto set my hand and the seal of my office,
this 9TH day of JANUARY A.D. 2018

KATHRYN L BROWN
BENT COUNTY TREASURER

BY: 

This Certificate does not certify as to any taxes which may, or may not, be due on any Mobile Home, Improvement, Personal Property, Oil, Gas, Mineral Rights, or Special Assessments which may, or may not, be located on the Property described above, unless specifically listed and described. Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the board of county commissioners, the county clerk and recorder, or the county assessor.

STATE OF COLORADO
BENT COUNTY

CERTIFICATE OF TAXES DUE
Thru Tax Year 2017

Certificate No 2018004
Printed 01/09/2018

Assessed Owner:

ROESCH JOHNNY D & TRUDY C (JT)
26395 ROAD MM
MCCLAVE CO 81057

SCHEDULE NUMBER
TAX DISTRICT
ROLL PAGE

23-
2158

23004070 R

Ordered by: BISON TITLE CO

===== N O T I C E =====

I, the undersigned, County Treasurer in and for said County, do hereby certify that there are no unpaid taxes or unredeemed tax lien sale certificates, except as shown below, as appears of record in this office, on the following described property, to-wit:

TAXING ENTITIES	\$/THOUS	TAX	Acres:	160.00		
SCHOOL DISTRICT RE-2	24.498	1007.64				
HASTY MCCLAVE FIRE D	5.500	226.22			2017 TAX AMT	2691.02
COUNTY GENERAL FUND	23.873	981.93			EXEMPTION	247.38
COUNTY ROAD & BRIDGE	2.870	118.05				-----
COUNTY PUBLIC WELFAR	3.103	127.63			2017 BALANCE	2443.64
COUNTY RETIREMENT FU	.750	30.85				
ABATEMENTS	.033	1.36			2017 TRSR AMT	80.00
BENT PROWERS CEMETER	2.356	96.91				
S/E COLO WATER CONS	.939	38.62				
LOWER ARK VALLEY WAT	1.503	61.82				
TOTALS	65.425	2691.02				

LEGAL DESCRIPTION OF PROPERTY

E2SW4; W2SE4 LESS 7 A; &
7 A W OF DRAIN IN E2SE4; (160 A) 9-22-49
162 SHARES FORT LYON WATER
LUBERS DRAINAGE SCH# 9402300350
B-302 P-299 REC# 1995-492
INCLUDES TRASH COLLECTION

** HOMESTEAD EXEMPTION HAS BEEN APPLIED. \$247.38 IS THE HOMESTEAD PORTION.

TOTAL IS CORRECT ONLY IF PAID BY: 04/30/2018 Total Now Due \$2,523.64

IN WITNESS WHEREOF; I have hereunto set my hand and the seal of my office,
this 9TH day of JANUARY A.D. 2018

KATHRYN L BROWN
BENT COUNTY TREASURER

BY: _____

This Certificate does not certify as to any taxes which may, or may not, be due on any Mobile Home, Improvement, Personal Property, Oil, Gas, Mineral Rights, or Special Assessments which may, or may not, be located on the Property described above, unless specifically listed and described. Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the board of county commissioners, the county clerk and recorder, or the county assessor.

TITLE INSURANCE COMMITMENT
FIRST AMERICAN TITLE INSURANCE COMPANY

SCHEDULE A

1. COMMITMENT DATE: JANUARY 5, 2018 At 10:00 A.M. FILE NO: 081801

2. POLICY OR POLICIES TO BE ISSUED	POLICY AMOUNT	PREMIUM
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(A) OWNER'S POLICY	\$ TBD	\$ TBD
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TBD

(B) LOAN POLICY	\$	\$
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TAX CERTIFICATE	\$ 20.00
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TOTAL	<u>\$ TBD</u>
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3. THE FEE SIMPLE INTEREST IN THE LAND DESCRIBED IN THIS COMMITMENT IS OWNED AT THE COMMITMENT DATE BY:

JOHNNY D. ROESCH AND TRUDY C. ROESCH

4. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS:

SEE EXHIBIT "A" ATTACHED HERETO

BISON TITLE COMPANY

DATE: JANUARY 10, 2018

BY Dee L. Melassa
MANAGER

NOTE: THE COMPANY RESERVES THE RIGHT TO MAKE ANY ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS ON THE BASIS OF THE BUYER TO BE INSURED HEREOF.

NOTE: CANCELLATION FEE OF \$300.00 AND \$10.00 FOR EACH TAX CERTIFICATE.

EXHIBIT "A"

TOWNSHIP 22 SOUTH, RANGE 49 WEST OF THE SIXTH PRINCIPAL MERIDIAN
SECTION 9: E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

AND

**A PARCEL OF LAND IN THE E $\frac{1}{2}$ SE $\frac{1}{4}$, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SW CORNER OF THE E $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 9;
THENCE NORTH 2114 FEET; THENCE EAST 144 FEET; THENCE SOUTH
2114 FEET; THENCE 144 FEET TO THE PLACE OF BEGINNING. SUBJECT
TO A PUBLIC HIGHWAY ON THE SOUTH SIDE OF SAID LAND,**

**EXCLUDING FROM THE ABOVE DESCRIBED PROPERTY A PARCEL OF
LAND DESCRIBED AS FOLLOWS:
BEGINNING AT THE NE CORNER OF THE SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 9;
THENCE WEST 1200 FEET; THENCE FOLLOWING THE MEANDERS OF
THE IRRIGATION LATERAL RUNNING IN A SOUTHEASTERLY DIRECTION
TO A POINT ON THE EAST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ OF SAID SECTION 9,
DISTANT 526 FEET SOUTH OF THE SAID NE CORNER OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ OF
SECTION 9; THENCE NORTH 526 FEET TO THE POINT OF BEGINNING,**

**COUNTY OF BENT,
STATE OF COLORADO.**

**SCHEDULE B-SECTION 1
REQUIREMENTS**

THE FOLLOWING REQUIREMENTS MUST BE MET:

- (A) PAY THE AGREED AMOUNTS FOR THE INTEREST IN THE LAND AND/OR FOR THE MORTGAGE TO BE INSURED.**
- (B) PAY THE TITLE INSURANCE COMPANY THE PREMIUMS, FEES AND CHARGES FOR THE POLICY.**
- (C) THE FOLLOWING DOCUMENTS SATISFACTORY TO THE TITLE INSURANCE COMPANY MUST BE SIGNED, DELIVERED AND RECORDED.**

- D. DEED FROM JOHNNY D. ROESCH AND TRUDY C. ROESCH TO BUYER TO BE DETERMINED, CONVEYING SUBJECT PROPERTY.**
- E. AFFIDAVIT OF INDEMNITY FURNISHED TO THE TITLE INSURANCE COMPANY EXECUTED BY THE OWNER TO SUBJECT PROPERTY IN SCHEDULE "A" HEREOF.**
- F. PAYMENT OF THE PROPERTY TAXES ASSESSED FOR THE YEAR 2017, IN THE AMOUNT OF \$3,608.00.**

SCHEDULE B-SECTION 2

EXCEPTIONS

ANY POLICY WE ISSUE WILL HAVE THE FOLLOWING EXCEPTIONS UNLESS THEY ARE TAKEN CARE OF TO OUR SATISFACTION.

- 1. ANY FACT, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORD, BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.**
- 2. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.**
- 3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, AND ANY FACTS WHICH A CORRECT SURVEY AND INSPECTION OF LAND WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.**
- 4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL THERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN IN THE PUBLIC RECORDS.**
- 5. ANY AND ALL UNPAID TAXES, ASSESSMENTS AND UNREDEEMED TAX SALES.**
- 6. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (a), (b), or (C) ARE SHOWN BY THE PUBLIC RECORDS.**

- 7. ALL GENERAL TAXES ARE CURRENT, EXCEPT THE TAXES ASSESSED FOR THE YEAR 2017, IN THE AMOUNT OF \$3,608.00.**

- 8. SUBJECT TO THE GAP AND MECHANIC'S LIEN NOTICES SET OUT ON THE C-3 ENDORSEMENT ATTACHED HERETO.**

- 9. SUBJECT TO THE SPECIAL DISTRICT NOTICE REQUIRED BY CRS 10-11-122 AS FOLLOWS:
PURSUANT TO CRS 10-11-123, NOTICE IS HEREBY GIVEN:
(A) THAT THE SUBJECT REAL PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;
(B) THAT A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER'S AUTHORIZED AGENT;
(C) THAT INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER OR THE COUNTY ASSESSOR.**