



Transaction Identification Data for reference only:

GrayRobinson, P.A.
401 E. Jackson St., Suite 2700,
Tampa, FL 33602
ALTA Universal ID:
LOAN ID Number:
Issuing Office File Number: 490154-62
Order No.: 6719489
Property Address: FL 2401 Sunset Blvd
Naples, FL 34112 2505 Sunset Blvd
Naples, FL 34112 2303 Sunset Blvd
Naples, FL 34112 FL FL FL
Revision Number: REVISION F (CAS) 2/5/2018

Fidelity National Title Insurance Company

SCHEDULE A

AMERICAN LAND TITLE ASSOCIATION COMMITMENT

1. Commitment Date: 01/09/2018 6:00 AM
2. Policy or Policies to be issued:
 - A. ALTA Owners 2006 with Florida Modifications
Proposed Insured: Neal Communities of Southwest Florida, LLC, a Florida limited liability company
Proposed Amount of Insurance: \$7,500,000.00
3. The estate or interest in the Land described or referred to in this Commitment is (Identify estate covered, i.e., fee, leasehold, etc):

Fee Simple
4. Title to the Fee Simple estate or interest in the land is at the Commitment Date vested in:

Cross and Thompson LLC, a Florida limited liability company, by virtue of Warranty Deed recorded in Official Records Book 5337, Page 3607 and Warranty Deed recorded in Official Records Book 5350, Page 994, public records of Collier County, Florida. (as to PARCELS A, B, C, D and E)

John D. Bruce, by virtue of Warranty Deed recorded in Official Records Book 4743, Page 3398, public records of Collier County, Florida. (as to PARCEL F)

Countersigned:

BY: _____
Authorized Officer or Agent

Robert L. Tetrault, Trustee of the Robert L. Tetrault Revocable Trust dated September 27, 2011, as to an undivided 50% interest and Kathleen M. Tetrault, Trustee of the Kathleen M. Tetrault Revocable Trust dated September 27, 2011, as to an undivided 50% interest; subject to a Life Estate in Robert L. Tetrault and Kathleen M. Tetrault, husband and wife, by virtue of Warranty Deed recorded in Official Records Book 4724, Page 2846, public records of Collier County, Florida. (as to PARCEL G)

Louis R. Smith and Leona E. Smith, also known as Leonia E. Smith, as Trustees under the Declaration of Trust dated April 3, 1990 as recorded in Official Records Book 1515, Page 961 of the Public Records of Collier County, Florida, as to PARCELS H (2), (3), (5) and (6), by virtue of the deed recorded in Official Records Book 2275, Page 285 (Note: The Official Records Book for said Trust Agreement should be 1517); and

The Heirs and/or Devisees of the Estate of Beulah Jaquith, Deceased, as to PARCELS H (1) and (4).

5. The Land is described as follows in Exhibit "A" attached hereto and made part hereof.



**SCHEDULE B SECTION I
REQUIREMENTS**
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

The following are requirements must be met:

1. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.
2. Instrument(s) creating the estate or interest to be insured must be properly executed, delivered and filed for record:
 - A. Duly executed Warranty Deed from CROSS AND THOMPSON LLC, a Florida limited liability company, Grantor, to NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, a Florida limited liability company, Grantee, conveying the land described on Schedule A hereof. (as to PARCELS A, B, C, D, and E)

The Company will require the following as to Cross and Thompson LLC., a Florida limited liability company: ("LLC"):

- i. Proof that the LLC was in existence in its state of organization at the time it acquired title and that the LLC is currently in good standing.
- ii. Present for review a true and complete copy of the articles of organization and operating agreement of the LLC and any amendments thereto.
- iii. Record an affidavit from the person executing the proposed deed on behalf of the LLC certifying: (a) the name and state of organization of the LLC; (b) whether the LLC is member-managed or manager-managed; (c) the identity of the member or manager and the person authorized to execute the deed; and (d) neither the LLC nor any member signing the deed have filed bankruptcy since the LLC acquired title.
- iv. If the member or manager of the LLC is also a business entity, present proof of the entity's good standing and the appropriate entity documents to establish signing authority.

If the proposed deed will be executed by anyone other than a member or manager, those portions of the operating agreement or other documentation evidencing the authority of the signatory must be attached as an exhibit to the affidavit.

- B. Duly executed Warranty Deed from JOHN D. BRUCE, Grantor, to NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, a Florida limited liability company, Grantee, conveying the land described on Schedule A hereof. (as to PARCEL F)

NOTE: Spouse(s) of individual(s), if any, are required to join in the execution of the above required instruments in the event the land is the homestead of the grantor. In addition, confirmation of marital status and non-homestead, where applicable, of grantor(s) must be reflected on the instrument vesting the estate to be insured.

- C. Duly executed Warranty Deed from ROBERT L. TETRAULT and KATHLEEN M. TETRAULT, husband and wife; ROBERT L. TETRAULT, as Trustee of the ROBERT L. TETRAULT REVOCABLE TRUST DATED SEPTEMBER 27, 2011; and from KATHLEEN M. TETRAULT, as Trustee of the KATHLEEN M. TETRAULT REVOCABLE TRUST DATED SEPTEMBER 27, 2011, Grantor, to NEAL COMMUNITIES OF



**SCHEDULE B SECTION I
Requirements continued**

SOUTHWEST FLORIDA, LLC, a Florida limited liability company, Grantee, conveying the land described on Schedule A hereof. (as to PARCEL G)

- D. Record a non-appealable Final Judgment quieting the title to PARCEL H in NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, a Florida limited liability company, as Plaintiff, to confirm the interests held by the following parties have been properly eliminated and title to said PARCEL is held by said Plaintiff; or in lieu thereof, Quit Claim Deeds from the following parties to NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, a Florida limited liability company:

1) JOHN FLICK and LAURA FLICK, husband and wife, as to any interest they may claim by virtue of the Deed recorded in Official Records Book 1968, Page 287, in and to PARCELS H (2), (3), (5) and (6). (Note: PARCEL G in said deed was conveyed by Deed in Official Records Book 2497, Page 3279)

2) LOUIS R. SMITH and LEONIA E. SMITH, also known as LEONA E. SMITH, husband and wife, individually and as Trustees under the DECLARATION OF TRUST DATED APRIL 3, 1990, AS RECORDED IN OFFICIAL RECORDS BOOK 1515, PAGE 961 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA (Note: The correct Official Records Book for the Trust is 1517), as to any interest they may claim by virtue of the Deed recorded in Official Records Book 2275, Page 285;

3) GEORGE P. LANGFORD, as Trustee of the LEROY H. HUENEFELD, JR. LAND TRUST DATED SEPTEMBER 6, 1996 (RESTATED HUENEFELD TRUST AGREEMENT DATED APRIL 28, 1989), as to any interest claimed by virtue of the Deed recorded in Official Records Book 2275, Page 289;

4) THE HEIRS AND/OR DEVISEES OF THE ESTATE OF BEULAH E. JAQUITH, DECEASED; naming and serving MARY E. BROWN, VIRGINIA JAQUITH, ANN L. ABEL and JAN E. STOKES, as known beneficiaries of the estate and naming and serving class of unknown heirs of said Estate with AD LITEM being appointed to represent class of unknowns, resulting in a Final Judgment quieting title against all known heirs and class of unknowns, as to any interest they may claim by virtue of the Deed recorded in Official Records Book 110, Page 62.

NOTE: A certified copy of the Death Certificate of Beulah E. Jaquith, deceased, was recorded in Official Records Book 2566, Page 2582; a certified copy of an unacknowledged Last Will and Testament by Beulah E. Jaquith was recorded in Official Records Book 2566, Page 2584; a certified copy of the Death Certificate of Charles E. Jaquith was recorded in Official Records Book 2566, Page 2578; and a certified copy of an unacknowledged Last Will and Testament of Charles R. Jaquith was recorded in Official Records Book 2566, Page 2580; we find no probate proceedings of record.

5) Intentionally deleted.

3. Record a Certification of Trust for the Robert L. Tetrault Revocable Trust dated September 27, 2011 and the Kathleen M. Tetrault Revocable Trust dated September 27, 2011, meeting the requirements of Section 736.1017, Florida Statutes, executed by the current trustee. The Certification of Trust shall contain the following:

- A. A statement confirming the existence of the trust and its execution date.
- B. Identity of the settlor.
- C. The identity and address of the currently acting trustee.
- D. The trustee's powers.



SCHEDULE B SECTION I
Requirements continued

E. The revocability or irrevocability of the trust and the identity of any person holding a power to revoke the trust.

F. The authority of co-trustees to sign or otherwise authenticate and whether all or less than all are required in order to exercise powers of the trustee.

G. The manner of taking title to trust property.

H. The certification must state the trust has not been revoked, modified, or amended in any manner that would cause the representations contained in the certification of trust to be incorrect.

Note:

1. If the current trustee(s) is not named as trustee(s) on the vesting deed, the pertinent pages of the trust and such other supporting documentation as is necessary to establish the successor trustee's authority must be attached as an exhibit.

2. If the settlor of a revocable trust is deceased and the property was his/her homestead, the Certification of Trust must recite that he/she was not survived by a spouse or minor child. Or, if a deceased settlor is survived by a spouse or minor child, please contact the underwriting department for additional requirements.

4. Proof of payment of any outstanding assessments in favor of Collier County, Florida, any special taxing district and any municipality. NOTE: If this requirement is not satisfied the following exception will appear on Schedule B:

Any outstanding assessments in favor of Collier County, Florida, any special taxing district and any municipality.

5. Proof of payment of service charges for water, sewer, waste and gas, if any, through the date of closing. NOTE: If this requirement is not met the following exception will appear on Schedule B:

Any lien provided for by Florida Statutes in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer, waste or gas system supplying the insured land or service facilities.

6. Satisfaction and production of the canceled notes of that certain Mortgage from John D. Bruce in favor of MERS, as nominee for Angel Oak Mortgage Solutions LLC, a Delaware limited liability company, dated March 8, 2016, recorded March 17, 2016 in Official Records Book 5251, Page 3693. (as to PARCEL F)
7. Satisfaction and production of the canceled notes of that certain Mortgage executed by Robert L. Tetrault and Kathleen M. Tetrault, his wife, to Washington Mutual Bank dated September 19, 2003, recorded October 9, 2003 in Official Records Book 3418, Page 177. (as to PARCEL G)
8. Satisfaction and production of the canceled notes of that certain Mortgage from Robert Tetrault and Kathleen Tetrault, his wife, to Third Federal Savings and Loan Association of Cleveland dated December 3, 2003, recorded December 13, 2003 in Official Records Book 3463, Page 405, as modified by Loan Modification Agreement recorded May 13, 2014 in Official Records Book 5036, Page 3656. (as to PARCEL G)
9. Release and termination of the lien and option to purchase described in Notice of Interest in Real Property recorded November 14, 2016 in Official Records Book 5333, Page 1234 from Robert L. Tetrault, individually and as Trustee of the Robert L. Tetrault Revocable Trust dated September 27,



SCHEDULE B SECTION I
Requirements continued

2011, Kathleen M. Tetrault, individually and as Trustee of the Kathleen M. Tetrault Revocable Trust dated September 27, 2011, and Cross and Thompson, LLC, a Florida limited liability company. (as to PARCEL G)

10. Issuing agent must obtain from the Company or perform themselves a title update three (3) business days prior to closing, to verify that no adverse matters or defects appear in the public records.
11. An Affidavit in form acceptable to Fidelity National Title Insurance Company ("Company") and executed by or on behalf of the current record owner(s) of the subject property stating that: (A) there are no parties in possession of the subject property other than said current record owner(s); (B) there are no encumbrances upon the subject property other than as may be set forth in this Commitment; (C) there are no unrecorded assessments which are due and payable and; (D) there have been no improvements made to or upon the subject property within the last ninety (90) day period for which there remain any outstanding and unpaid bills for labor, materials or supplies for which a lien or liens may be claimed must be furnished to the Company, or, in lieu thereof, an exception to those matters set forth in said Affidavit which are inconsistent with or deviate from the foregoing requirements will appear in the policy or policies to be issued pursuant to this Commitment.
12. Intentionally deleted.
13. Intentionally deleted.
14. Secure, for the file of the Company, an Affidavit from ROBERT L. TETRAULT and KATHLEEN M. TETRAULT, husband and wife; ROBERT L. TETRAULT, as Trustee of the ROBERT L. TETRAULT REVOCABLE TRUST DATED SEPTEMBER 27, 2011; and from KATHLEEN M. TETRAULT, as Trustee of the KATHLEEN M. TETRAULT REVOCABLE TRUST DATED SEPTEMBER 27, 2011, current owners of PARCEL G, to certify that they have not received any claims or demands for payment of the Mortgage from John Flick and Laura Flick, husband and wife, in favor of Fifth Third Bank of Florida in the original principal amount of \$80,000.00, recorded March 10, 1998 in Official Records Book 2396, Page 1548; nor have said owners entered into any mortgage modification or assumption agreement regarding the said mortgage.
15. Intentionally deleted.

NOTE: 2017 Real Property Taxes in the gross amount of \$33.69 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00407840009, as to PARCEL A and PARCEL H (1).

NOTE: 2017 Real Property Taxes in the gross amount of \$35.18 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00407960002, as to PARCEL B and PARCEL H (2).

NOTE: 2017 Real Property Taxes in the gross amount of \$33.43 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00407520002, as to PARCEL C and PARCEL H (3).

NOTE: 2017 Real Property Taxes in the gross amount of \$33.69 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00408360009, as to PARCEL D and PARCEL H (4).

NOTE: 2017 Real Property Taxes in the gross amount of \$2,578.59 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00408200004, as to PARCEL E and PARCEL H (5).



SCHEDULE B SECTION I
Requirements continued

NOTE: 2017 Real Property Taxes in the gross amount of \$3,046.83 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00407720006, as to PARCEL F and PARCEL H (6).

NOTE: 2017 Real Property Taxes in the gross amount of \$3,266.48 are paid. Homestead Exemption: N/A. Tax Parcel Number: 00408120003, as to PARCEL G.

END OF SCHEDULE B SECTION I



**SCHEDULE B SECTION II
EXCEPTIONS**
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. 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.
2. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.
3. Standard Exceptions:
 - A. Intentionally deleted.
 - B. Rights or claims of parties in possession not shown by the public records.
 - C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
 - D. Taxes or assessments which are not shown as existing liens in the public records.
4. Intentionally deleted.
5. Intentionally deleted.
6. Collier County Ordinance Number 75-20 regulating the installation of any water distribution and wastewater collection system or part thereof within any public right-of-way or easement, recorded in Official Records Book 619, Pages 1177.
7. Intentionally deleted.
8. Intentionally deleted.
9. Intentionally deleted.
10. Intentionally deleted.
11. Intentionally deleted.



**SCHEDULE B SECTION II
EXCEPTIONS**
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

12. Subject land lies within the boundaries for solid waste collection, Collier County, and will be subject to future assessments by Collier County.
13. Intentionally deleted.
14. Intentionally deleted.
15. Intentionally deleted.
16. Intentionally deleted.
17. Intentionally deleted.
18. Intentionally deleted.
19. Intentionally deleted.
20. Subject to that certain Easement granted to Florida Power and Light Company recorded in Official Records Book 1087, Page 2237. (as to PARCELS F and H (6))
21. Notwithstanding the insuring provisions, this policy does not insure any right of access to and from the land. (as to PARCELS E, F, G and H)
NOTE: Upon acquisition of all insured Parcels by the Insured, access to and from said Parcels will be over and across the commonly owned PARCELS A, B, C, and D, and exception will be revised accordingly.
22. Matters disclosed by the Survey prepared by Q. Grady Minor and Associates, P.A., as File No. 17-107-ALTA.DWG, dated December 15, 2017, as last revised January 23, 2018, to-wit:
 - a) Possible unrecorded easements regarding several wood utility poles with guy anchors located outside of recorded easement area, Cable Television Riser Box and Telephone Riser/Box; and
 - b) Possible fence encroachments.

NOTES ON STANDARD EXCEPTIONS:

Item 3A will be deleted from the policy(ies) upon receipt of an accurate survey of the Land acceptable to the Company. Exception will be made for any encroachment, setback line violation, overlap, boundary line dispute or other adverse matter disclosed by the survey.

Items 3B, 3C, and 3D will be deleted from the policy(ies) upon receipt of an affidavit acceptable to the Company, affirming that, except as disclosed therein (i) no parties in possession of the Land exist other than the record owner(s); (ii) no improvements have been made to the Land within 90 days prior to closing which have not have been paid for in full; and (iii) no unpaid taxes or assessments are against the Land which are not shown as existing liens in the public records. Exception will be made for matters disclosed in the affidavit.

NOTE: All recording references in this commitment/policy shall refer to the public records of Collier County, Florida, unless otherwise noted.



**SCHEDULE B SECTION II
EXCEPTIONS**
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

NOTE: In accordance with Florida Statutes section 627.4131, please be advised that the insured hereunder may present inquiries, obtain information about coverage, or receive assistance in resolving complaints, by contacting Fidelity National Title Insurance Company, 5690 West Cypress Street, Suite A , Tampa, FL 33607; Telephone 866-632-6200.

Searched By: Jim Yeakley, Commercial Title Examiner; Jim.Yeakley@fnf.com

END OF SCHEDULE B SECTION II



EXHIBIT "A"

PARCEL A:

The South One-Half (1/2) of the Southwest One Quarter (1/4) of the Southwest One-Quarter of the Northwest One-Quarter (1/4) of Section 9, Township 50 South, Range 26 East, Collier County, Florida, reserving therefrom the east thirty (30) feet for road right-of-way purposes only.

PARCEL B:

The North One-Half (1/2) of the Northwest One Quarter (1/4) of the Northwest One-Quarter of the Southwest One-Quarter (1/4) of Section 9, Township 50 South, Range 26 East, Collier County, Florida, reserving therefrom the east thirty (30) feet for road right-of-way purposes only; also known as Tract 40 of unrecorded Plat.

PARCEL C:

The South One-Half (1/2) of the Northwest One Quarter (1/4) of the Northwest One-Quarter of the Southwest One-Quarter (1/4) of Section 9, Township 50 South, Range 26 East, Less 30 feet for easement on the South Line and 30 feet for easement on the east line for road right-of-way purposes only. Also known as Tract 39, enchanted acres, Collier County, Florida.

PARCEL D:

The North 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida, reserving therefrom the East 30 feet for road right of way; also described as Tract 42, Enchanted Acres.

AND ALSO LESS that portion of said PARCELS A, B, C and D, taken by eminent domain proceeding between Collier County, Florida and C&T Properties Unlimited as evidenced by Order of Taking recorded March 10, 2008 in Official Records Book 4337, Page 541, Case Number 07-4923-CA referenced to as Parcel 126FEE and being more particularly described as:

A parcel of land lying in the Southwest and Northwest quarters of Section 9, Township 50 South, Range 26 East, Collier County, Florida, being more particularly described as follows:

Beginning at the West quarter corner of said Section 9; thence South 00°50'29" East along the West line of the Southwest quarter of said Section 9 a distance of 653.41 feet to an intersection with the Northerly right-of-way line of Cope Lane; thence South 89°57'32" East along said Northerly right-of-way line, a distance of 38.83 feet; thence leaving said Northerly right-of-way line North 07°21'18" East, a distance of 207.06 feet to the beginning of a curve concave Westerly and having a radius of 3,100.00 feet; thence Northerly along the arc of said curve through a central angle of 08°20'02" an arc distance of 450.91 feet to an intersection with the North line of the Southwest quarter of said Section 9; thence North 00°58'38" West, a distance of 685.18 feet to an intersection with the Northerly line of a parcel of land as described in O.R. 3283, Page 524, of the Public Records of Collier County, Florida; thence South 89°39'02" West along said Northerly line, a distance of 100.01 feet to an intersection with the West line of the Northwest quarter of said Section 9; thence South 00°58'38" East along said West line, a distance of 686.37 feet to the Point of Beginning of the parcel herein described.

PARCEL E:

Exhibit "A" continued

The South one-half (S 1/2) of the Northeast one-quarter (NE 1/4) of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of Section 9, Township 50 South, Range 26 East, Collier County, Florida, Less the West thirty (30') feet thereof, to be used for road right-of-way purposes only (Tract 50 of unrecorded plat)

PARCEL F:

The North 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida. Less Road Easements on the West side of 30-foot parcel also known as Tract 49 Enchanted Acres.

PARCEL G:

South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida, and also known as Lot 48 of Enchanting Acres.

PARCEL H:

- (1) The East 30 feet of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida;
- (2) The East 30 feet of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida;
- (3) The East 30 feet of the South 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida; Less the South 30 feet thereof conveyed to Collier County, Florida, by Deeds recorded in Official Records Book 1091, Pages 1110 and 1119, Public Records of Collier County, Florida;
- (4) The East 30 feet of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida;
- (5) The West 30 feet of the South 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida; and
- (6) The West 30 feet of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 9, Township 50 South, Range 26 East, Collier County, Florida.

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ALTA Commitment (6-17-06)

