

Pursuant to the New Mexico title insurance law Section 59A-30-4 NMSA 1978, control and supervision by superintendent and title insurance regulation 13.14.18.10 NMAC, no part of any title insurance commitment, policy or endorsement form promulgated by the New Mexico superintendent of insurance may be added to, altered, inserted in or typed upon, deleted or otherwise changed from the title insurance form promulgated by the New Mexico superintendent of insurance, nor issued by a person or company not licensed with regard to the business of title insurance by the New Mexico superintendent of insurance, nor issued by a person or company who does not own, operate or control an approved title abstract plant as defined by New Mexico law and regulations for the county wherein the property is located.

File No: **22-4040**

Transaction Identification Data for reference only:

Issuing Agent: Network Closing Services, Inc. dba Pioneer Title and Escrow

Issuing Office: Network Closing Services, Inc. dba Pioneer Title and Escrow

Issuing Office's ALTA® Registry ID: 1048905

Loan ID Number:

Commitment Number:

Issuing Office File Number: 22-4040

Property Address: 15 Sunrise Overlook Angel Fire, NM 87710

COMMITMENT FOR TITLE INSURANCE

Issued by

Chicago Title Insurance Company

SCHEDULE A

1. Commitment Date: **November 8, 2022, 8:00 am**

2. Policy or Policies to be issued:
 - (a) 2006 ALTA® Owner's Policy
Proposed Insured: **Jennifer Gingrich and Sean Gingrich**
Proposed Policy Amount: **\$1,070,000.00**
 - (b) 2006 ALTA® Loan Policy
Proposed Insured: : **Nations Lending Corporation, its successors and/or assigns as their interest may appear**
Proposed Policy Amount: **\$760,000.00**

3. The estate or interest in the land described or referred to in this Commitment is **Fee Simple**.

4. Title is, at the Commitment Date vested in **Torrey Moncrief and Colleen E. Moncrief, husband and wife, as joint tenants with rights of survivorship**

5. The land is described as follows:
Lot 1441- Amended, Angel Fire Chalets #2 as described in Combination Deed recorded in Document #201201010, of the Records of Colfax County, New Mexico.

Lot 1441-Amended is the Combination of Lot 1441 and Lot 1442, Angel Fire Chalets #2 as shown in Plat filed in Book 7, Page 99, records of Colfax County, New Mexico.

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**SCHEDULE B, Part I
Requirements**

All of the following Requirements must be met:

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.
 - a. **Warranty Deed from Torrey Moncrief and Colleen E. Moncrief, husband and wife to Jennifer Gingrich and Sean Gingrich conveying the subject property. *ADDITIONAL FEES WILL BE REQUIRED.***
 - b. **Affidavit in recordable form from Torrey Moncrief and Colleen E. Moncrief, husband and wife establishing that there are no adverse matters against them recorded in the Records of Colfax County, New Mexico.**
 - c. **Mortgage from Jennifer Gingrich and Sean Gingrich, both joined by spouse if married to Nations Lending Corporation, its successors and/or assigns as their interest may appear, securing an indebtedness of \$760,000.00.**
5. **Written confirmation from the current vested owner that there are no outstanding or unrecorded mortgages.**
6. **Affidavit in recordable form establishing that there are no adverse matters against the Owners of Record recorded in the Records of Colfax County, New Mexico, in which the subject property is situated.**
7. **Evidence in satisfactory form indicating payment to a current date of all maintenance charges, recreational fees or other Association assessments applicable to the land.**
8. **Provide Social Security Numbers for Torrey Moncrief and Colleen E. Moncrief in order to complete Bankruptcy Search.**
9. **Provide Social Security Number for Sean Gingrich in order to complete Bankruptcy Search.**
10. **Taxes for the year 2022 are due and payable in the amount of \$3,382.26, good through 12/10/2022.**
11. **Perform Bankruptcy Search prior to funding.**

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*Chicago Title Insurance Company***SCHEDULE B, Part II
Exceptions**

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. Rights or claims of parties in possession not shown by the public records.
 2. Easements, or claims of easements, not shown by the public records.
 3. Encroachments, overlaps, conflicts in boundary lines, shortages in area, or other matter which would be disclosed by an accurate survey and inspection of the premises.
 4. Any lien, claim 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. Community property, survivorship, or homestead rights, if any, of any spouse of the insured (or vestee in a leasehold or loan policy).
 6. Water rights, claims or title to water.
 7. Taxes for the year 2022, and thereafter. (See 13.14.5.12 NMAC)
 8. 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.
 9. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
10. **Declaration of Restrictive Covenants as set out in Miscellaneous Book 74 page 481, filed February 21, 1973; AND EXTENDED in Miscellaneous Book 75 page 379, filed August 17, 1973; AND in Supplemental Declaration of Restrictive Covenants filed September 27, 1995 at 5:29 p.m., recorded in Real Estate Records Book 6, page 6959, records of Colfax County, New Mexico.**
 11. **Terms of Declaration, Easements for Drainage and Utilities as shown on Plat Book 7 page 99, filed August 17, 1973, records of Colfax County, New Mexico.**
 12. **Grant of Easement from The Angel Fire Corporation, a New Mexico corporation, To Angel Fire Services Corporation, filed January 18, 1982 at 11:00 a.m., recorded in Miscellaneous Book 103, page 58, records of Colfax County, New Mexico.**
 13. **Annexation by the Village of Angel Fire, Colfax County, New Mexico, dated October 7, 1997, filed December 12, 1997 at 11:17 a.m., recorded in Real Estate Records Book 8, page 11926, records of Colfax County, New Mexico.**
 14. **Annexation as set out in Real Estate Records Book 9 page 7993, filed July 10, 1998 at 4:36 p.m., AND AMENDED**

in Real Estate Records Book 13, page 4368 filed March 20, 2002 at 10:22 a.m., records of Colfax County, New Mexico.

15. Subject to Village of Angel Fire Release, recorded in Document #201601100, records of Colfax County, New Mexico.
16. Subject to Kit Carson Electric Cooperative, Inc. Release, recorded in Document #201601099, records of Colfax County, New Mexico.
17. Subject to Qwest Corporation Quitclaim Deed Release, recorded in Document #201601060, records of Colfax County, New Mexico.
18. Subject to Plat Combination recorded in Document #201601237.
19. Subject to any and all adverse matters as shown in the Boundary Survey dated 11/28/2022, prepared by Carl A. Nelson of Line of Sight Surveying, Inc. bearing job no. 22235

NOTE: The following is for informational purposes only and is not to be considered as part of the coverage afforded by this binder/policy.

NOTE: Taxes for the year 2022 are due and payable in the amount of \$3,382.26, good through 12/10/2022; Tax I.D. Number 1-089-149-432-063; Owner #995633 ; Assessed Value \$120,023.00.

Taxes are issued and fully payable on November 10th, late after December 10th and 2nd half due by April 10th and late after May 10th.

Tax Payment Address:
Colfax County Treasurer
230 N. 3rd Street
Raton, NM 87740
575-445-3171

Standard exceptions 1, 2, 3, and or 4, may be deleted from any policy upon compliance with all provisions of the applicable rules, upon payment of all additional premiums required by the applicable rules, upon receipt of the required documents and upon compliance with the company's underwriting standards for each such deletion. Standard exception 5 may be deleted from the policy if the named insured in the case of an owner's policy, or the vestee, in the case of a leasehold or loan policy, is a corporation, a partnership, or other artificial entity, or a person holding title as trustee. Except for the issuance of a U.S. Policy form (NM7 or NM34), any policy to be issued pursuant to this commitment will be endorsed or modified in schedule B by the company to waive its right to demand arbitration pursuant to the conditions and stipulations of the policy at no cost or charge to the insured. The endorsement or the language added to schedule B of the policy shall read: "In compliance with Subsection D of 13.14.18.10 NMAC, the company hereby waives its right to demand arbitration pursuant to the title insurance arbitration rules of the American land title association. Nothing herein prohibits the arbitration of all arbitrable matters when agreed to by both the company and the insured."