

Cover page for:

Preliminary Title Evidence

Title Opinion prepared by:

James B. Blevins, Jr., Attorney at Law

Dated June 29, 2023

Opinion Ref. No. 20221337

Opinion Tract No. 17

Group No. 10 Auction Tracts 20 - 21 (Garvin County, Oklahoma)

For July 10, 2023 auction to be conducted by:

Schrader Real Estate and Auction Company, Inc.

On behalf of:

Melany Levenson, as Co-Trustee, *et al.*

JAMES B. BLEVINS, JR
George W. Velotta II
Attorney at Law
P.O. Box 1565
Purcell, OK 73080

June 29, 2023

Republic Law Group
7 East Main St.
Ardmore, OK 73401

Re: 20221337 (Tract 17)

The SW/4 SE/4 SW/4 and the SE/4 SW/4 SW/4 and the N/2 SW/4 SW/4 of Section 25,
Township 2 North, Range 3 West of the I.B.M., Garvin County, Oklahoma

AND

The NW/4 NW/4 NW/4 of Section 36, Township 2 North, Range 3 West of the I.B.M.,
Garvin County, Oklahoma.

To Whom It May Concern:

Pursuant to your request, I have examined Abstract of Title No. 11000 & 11000-A last certified to 718/22 at 07:00 AM by Garvin County Abstract Company. Pursuant to such examination, I am of the opinion that the condition of the title is as follows:

A) Surface Title:

The surface title is vested in:

2.083 acres or a 1/24 interest – Larry Don Howard, by virtue of a Final Decree filed December 9, 2013 in Book 2041 at Page 64;

2.083 acres or a 1/24 interest – Joe Mack Howard, by virtue of a Final Decree filed December 9, 2013 in Book 2041 at Page 64;

2.083 acres or a 1/24 interest – Mary Louise Vanlandingham, by virtue of a Final Decree filed December 9, 2013 in Book 2041 at Page 64;

6.25 acres or a 1/8 interest – Linda Anne Barnes, by measure of the life of Mary Anne Barnes, then 1/16 interest, by virtue of a Final Decree filed November 7, 2019 in Book 5373 at Page 209;

6.25 acres or a 1/8 interest – David Barnes, by measure of the life of Mary Anne Barnes, then 1/16 interest, by virtue of a Final Decree filed November 7, 2019 in Book 5373 at Page 209;

6.25 acre or 1/8 interest – Ronald Harshaw (Ruth F. Brooks), by virtue of a Final Decree dated August 9, 2001 this Final Decree is not recorded in Garvin County, Oklahoma;

4.167 acres or a 1/12 interest - Rosemary R. Fair, as Trustee of the Rosemary R. Fair Revocable Trust, under Trust Agreement dated December 21, 2000, by virtue of a Quit Claim Deed filed March 1, 2007 in Book 1622 at Page 702.

4.167 acres or a 1/12 interest – Anne R. Green as Trustee of the Anne R. Green Revocable Trust, by virtue of a Quit Claim Deed filed February 22, 2002 in Book 1622 at Page 89;

4.167 acres or a 1/12 interest - Dana G. Ralls, as Trustee of the Ralls Trust dated May 26, 1981, by virtue of a Final Decree filed May 17, 1989 in Book 1249 at Page 823;

4.167 acres or a 1/12 interest - Mary Lois Smith, by virtue of a Final Decree that is filed in Garvin County, Oklahoma on May 17, 1989 in Book 1249 at Page 823;

4.167 acres or a 1/12 interest - Cecelia Beck and J.W. Beck as joint tenants, by virtue of a Final Decree that is not filed in Garvin County, Oklahoma;

1.389 acres or a 1/36 interest - Virginia Watson, by virtue of a Final Decree that is not filed in Garvin County, Oklahoma;

1.389 acres or a 1/36 interest - Johnny Watson, by virtue of a Final Decree that is not filed in Garvin County, Oklahoma;

1.389 acres or a 1/36 interest - Jimmy Watson, by virtue of a Final Decree that is not filed in Garvin County, Oklahoma.

B) Mineral Ownership:

The minerals have been omitted by request.

C) Mortgages:

NONE

D) Taxes and Other Encumbrances:

2021 and all prior years' taxes are paid or cancelled pursuant to 68 O.S. § 24233, as amended.

E) Restrictive Covenants, Easements and Ordinances:

- 1) Order Annexing Additional Territory to Rural Water and/or Sewer and/or Gas and/or Solid Waste Management District NO. 5, Stephens County, Oklahoma filed May 3, 2004 in Book 1697 at Page 311.
- 2) Right of Way easement in favor of Rural Water and/or Sewer and/or Gas and/or Solid Waste Management District NO. 5, Stephens County, Oklahoma filed August 9, 2005 in Book 1743 at Page 62.
- 3) Statutory easement for roadway along Section line.

- 4) Ordinance Incorporating the described property into the Town of Foster filed October 29, 2001 in Book 1611 at page 899.
- F) Does this property have a legal right of access?: **YES**
- G) Advisory:
NONE
- H) Is the title marketable: Yes- upon fulfillment of the below requirements.
- I) Requirements:
- REQUIREMENT No.1:** Dana G. Ralls, as Trustee of the Ralls Trust dated May 26, 1981, must execute any instrument conveying an interest in the subject property. Additionally, all formalities of execution must be properly completed.
- REQUIREMENT No.2:** Anne R. Green as Trustee of the Anne R. Green Revocable Trust, must execute any instrument conveying an interest in the subject property. Additionally, all formalities of execution must be properly completed.
- REQUIREMENT No.3:** Rosemary R. Fair, as Trustee of the Rosemary R. Fair Revocable Trust, under Trust Agreement dated December 21, 2000, must execute any instrument conveying an interest in the subject property. Additionally, all formalities of execution must be properly completed.
- REQUIREMENT No.4:** Mary Lois Smith, Cecelia Beck, J.W. Beck, Virginia Watson, Johnny Watson, Jimmy Watson, Joe Mack Howard, Larry Don Howard, Mary Louise Vanlandingham, Linda Ann Barnes and David Barnes, all single people, or joined by spouses, if applicable, must execute any instrument conveying an interest in the subject property. Additionally, all formalities of execution must be properly completed.
- REQUIREMENT No.5:** Obtain and file of record a Memorandum of Trust, for Rosemary R. Fair Revocable Trust, under Trust Agreement dated December 21, 2000, reflecting who the current trustees are as well as the fact that said trustees have the power and authority to convey and/or mortgage the captioned property, as required by Section 15.2 of the Oklahoma Marketable Title Act.
- REQUIREMENT No.6:** Obtain and file of record a Memorandum of Trust, for Anne R. Green Revocable Trust, reflecting who the current trustees are as well as the fact that said trustees have the power and authority to convey and/or mortgage the captioned property, as required by Section 15.2 of the Oklahoma Marketable Title Act.
- REQUIREMENT No.7:** Obtain and file of record a Memorandum of Trust, for Ralls Trust dated May 26, 198, reflecting who the current trustees are as well as the fact that said trustees have the power and authority to convey and/or mortgage the captioned property, as required by Section 15.2 of the Oklahoma Marketable Title Act.
- REQUIREMENT No.8:** Obtain and file of record in the Office of the Garvin County Clerk a certified copy of the Final Decree of Mabel Virginia Smith Stephens County Case NO. P-98-165.

REQUIREMENT No.9: Obtain and file of record in the Office of the Garvin County Clerk a certified copy of the Final Decree of Ruth F. Brooks Oklahoma County Case NO. P-2000-384.

REQUIREMENT No.10: Obtain and file of record in the Office of the County Clerk of Garvin County a certified copy of the Final Decree for Robert Brue Barnes filed in the Office of the Court Clerk of Stephens County District Case NO. PB-2019-151 on November 7, 2019

Miscellaneous:

This opinion does not cover rights of parties in possession, rights arising out of adverse possession, mechanics', materialmen's, or other liens not of record, unmatured special assessments, filings under the uniform Commercial code, or other matters not ordinarily abstracted.

Accordingly, I submit the following general requirements:

1. You should ascertain whether there may be persons in possession of the subject property who may be claiming any rights inconsistent with ownership set forth above.
2. You should ascertain whether any work has been performed on the subject premises within the last 120 days, which might be the subject of materialmen's or mechanics' liens, as yet unrecorded.
3. You should ascertain, calling for a survey if necessary, that there are no encroachments upon the subject property by adjoining structures, that no structures upon the subject property encroach upon adjoining properties and that the property in question has access to a public road for the use and benefit of the owners thereof.
4. You should ascertain, hiring a qualified expert if necessary, whether or not hazardous material has ever been used on the property or in connection with the construction or maintenance of any building or structure on the property. The existence of urea-formaldehyde foam insulation or other potentially hazardous waste material may have an effect on the value and use of the subject property.

Sincerely:

James B. Blevins, Jr.
O.B.A. #881
George W. Velotta II
O.B.A. #9223