

TRACT 2

SCHEDULE A

FILE NO.: T- 14983

1. Effective Date: OCTOBER 25, 2010 AT 8:00 A.M.

2. Policy or Policies to be issued:

a. Owner's Policy: \$ TO BE DETERMINED

Proposed Insured: TO BE DETERMINED

b. Loan Policy: \$

Proposed Insured:
its successors and or assigns

3. The estate or interest in the land described or referred to in this Commitment is fee simple.

4. Title to the fee simple estate or interest in the land is at the Effective Date vested in:

BEST FARMS, INC.,

5. The land referred to in this Commitment is described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Issued through the Office of:

HIGH PLAINS LAND & TITLE
107 GUNSMOKE, P. O. BOX 878
DODGE CITY, KANSAS 67801



Authorized Signature MITCH L. LITTLE

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By  President
Attest  Secretary

Tract 2

EXHIBIT "A" LEGAL DESCRIPTION:

All of the Southeast Quarter (SE/4) of Section 24 in Township 25 South, Range 30 West of the 6th P.M.,
EXCEPT: A tract of land described by metes and bounds as follows: Beginning at a point in the intersection of the center line of the Atchison, Topeka and Santa Fe Railroad Company's right of way, which crosses the above quarter section of land and the east side of the county road running north and south parallel with the west side of the said Southeast Quarter of said Section 24 for place of beginning; thence south along the east line of said county road a distance of 260 feet; thence parallel to the center line of said railroad right of way in a southeasterly direction, a distance of 672.77 feet; thence at right angles in a northerly direction to the center line of said railroad right of way a distance of 254.72 feet; thence west along the center of said railroad right of way to the place of beginning;

EXCEPTING, however from said tract of land above described, the following

- (1) the right of way of said Railroad Company above mentioned; and
- (2) the additional 10 feet of county road right of way,

AND

Lots 3 and 4 and the East Half of the Southwest Quarter (E/2 SW/4) and the Southeast Quarter (SE/4) lying south of U.S. Highway 50 and the Atchison, Topeka, & Santa Fe Railroad right of way in Section 19 in Township 25 South, Range 29 West of the 6th P.M.,
EXCEPT: General Warranty Deed, in favor of The Secretary of Transportation of the State of Kansas. Book 123 at Page 170-171.

AND

Lots 1, 2, and 3 and the Northeast Quarter of the Northwest Quarter (NE/4 NE/4) and Lots 4 and 5 and the Northwest Quarter of the Northeast Quarter (NW/4 NE/4) of Section 30, in Township 25 South, Range 29 West of the 6th P.M.,

AND

Lots 3 & 4 of Section 25, being all of the land in Section 25 lying north of the Arkansas River, Township 25 South, Range 30 West of the 6th P.M., together with all accretions.

ALL IN GRAY COUNTY, KANSAS.

FILE NO.: T- 14983

SCHEDULE B-1

The following requirements must be met:

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exception.
5. Execute and record MORTGAGE RELEASE of Mortgage, Dated October 1, 2008. Executed by Best farms, Inc., a Kansas Corporation to Metropolitan Life Insurance Company. Filed October 1, 2008 at 1:15 P.M., Recorded in Book 144 at Pages 317-328.
Including UCC Filings, with the State and in Gray County, Register of Deeds.
6. Execute and record proper WARRANTY DEED. Executed by Best Farms, Inc., a Kansas Corporation to (TO BE DETERMINED).
(Kansas Real Estate Sales Validation Questionnaire must accompany said Deed)
7. Furnish Company with RESOLUTION by the Board of Directors of Best Farms, Inc., a Kansas, Corporation authorizing the execution and delivery of all instruments necessary for the consummation of this transaction by the proper officers.
Along with a copy of the Certificate of Good Standing with the State of Kansas.
8. The right is reserved to make additional exceptions and/or requirements.

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SCHEDULE B-11 EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

1. Facts which would be disclosed by a comprehensive survey of the premises herein described.
2. Mechanic's, Contractor's or Materialmen's liens and lien claims, if any, where no notice thereof appears of record.
3. Any change in title occurring subsequent to the effective date of this Commitment and prior to the date of issuance of the title policy.
4. Loss or damage by reason of there being recorded in the Public Records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the commitment date and prior to the effective date of the final policy.
5. Taxes and special assessments for 2010 and subsequent years, not yet due and payable.
FOR INFORMATION ONLY:
E/2 S/2 24-25-30: Tax Card # FA05085 - Total amount of 2009 (\$ 1078.20)
Lots 3 & 4, 25-25-30: Tax Card # FA05180 - Total amount of 2009 (\$ 1222.46) +other
W/2 S of RR 19-25-29: Tax Card # FA02330 - Total amount of 2009 (\$ 471.66)
SE/4 S of RR 19-25-29: Tax Card # FA02320 - Total amount of 2009 (\$ 580.14)
Lots 1,2, 3 NE/4 NW/4 30-25-29: Card # FA02570- Total amount of 2009 (\$ 564.98)
Lots 4 & 5 & NW/4 NE/4 30-25-20 Card # FA02560-Total amount of 2009 (\$ 811.42)
NW/4 N of River 29-25-29 Tax Card # FA02540 - Total amount of 2009 (\$ 45.06)
6. Except and subject to rights of way and easements for roadways, streets, highways and railways.
7. This policy does not insure against loss or damage as a result of the denial or impairment of access over the existing roadways and railways to the insured premises.
8. The square footage or acreage shown on Schedule "A" is neither insured nor guaranteed, but shown for description only.

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9. Except and subject to any mineral rights, interest and reservations of record, if any, including Oil and Gas Leases, Assignments and interest of record, if any, regarding minerals whatsoever, and all other matters thereto.
10. Except and subject to railroad rights of way, switch tracts, spur tracts, electric and telephone transmission lines and all other easements, if any over the premises.
11. Except and subject to any portion of the property within any public road.
12. Except and subject to any interest outstanding of record, in and to all the oil, gas and other minerals in and under and that may be produced from said premises, together with all rights incident to or growing out of said outstanding minerals, including but not limited to outstanding oil and gas leases and easements.
13. Subject to Any adverse claim based upon the assertion that:
 1. Said land or any part thereof is now or at anytime has been below the ordinary high water mark of the River.
 2. Some portion of said land has been created by artificial means or has accepted to such portion so created.
 3. Some portion of said land has been brought within he boundaries thereof by an avulsive movement of the River, or has been formed by accretion to any such portion.
14. Subject to Terms and provisions of Condemnation proceedings, case No.,5089 in the District Court of Gray County, Kansas, for a right of way for electric power line over and across a 20' wide strip of land lying parallel to the right of way of the Atchison, Topeka & Santa Fe Railway Company, the center line being 100' southerly from the south line of said right-of-way of the Atchison, Topeka & Santa Fe Railway Company and extending across all of that art of Section 23 and the W/2 of Section 24-25-30 lying south of the right-of-way of the AT&SF Railway.
15. Subject to Terms and provisions of Right of Way Easement dated April 14, 1969 in favor of Wheatland Electric Cooperative Inc., Recorded December 8, 1970, Filed Book 64 at Page 501-502.
16. Subject to Terms and provisions of Right of Way Easement dated June 17, 1970 in favor of Wheatland Electric Cooperative, Inc., Recorded December 8, 1970, Filed in Book 64 at Pages 497-498.

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17. Right of way for ditches and canals constructed by authority of the United States as reserved to the United States in Patents.
18. Subject to PIPELINE EASEMENT, Executed by Renick Brothers, Inc., Donoco Energy Corp., its successor and/or assigns, for pipeline purposes. Filed October 27, 1986 at 9:30 A.M., Recorded in Book 76 at Pages 324-325.
Subject to ASSIGNMENT OF EASEMENT. Donoco Energy Corp to W.R. Renick, Inc., and Conoco Farms, Inc., Filed August 4, 1993 at 12:00 M., Recorded in Book 81 at Page 146.
19. Except and subject to any claims of water rights whatsoever that would be created or established under an instrument entitled IN THE MATTER OF THE PROPOSED DESIGNATION OF AN INTENSIVE GROUNDWATER USE CONTROL AREA, in Hamilton, Kearney, Finney, Gray and Ford Counties, Kansas, dated September 29, 1986, filed December 24, 1986 at 9:35 A.M., Recorded in the Office of the Register of Deeds of Gray County, Kansas, in Book 76 at Pages 366-399 Said Groundwater Instrument was amended by instrument entitled AMENDED ORDER OF PROPOSED DESIGNATION OF AN INTENSIVE GROUNDWATER USE CONTROL AREA, dated March 6, 1987, Filed November 9, 1988 at 9:45 A.M., Recorded in the Register of Deeds of Gray County, Kansas, in Book 98 at Pages 135
20. Subject to EASEMENT. Executed b W.F. Renick to The garden City Irrigation Power Company, its successors and/or assigns. Filed September 2, 1950 at 8:00 A.M., Recorded in Book 56 at Page 309 .
21. Subject to Certificate of Appropriation for Beneficial Use of Water. Water Right File No., 23,548, Priority Date February 3, 1975. Executed by State Board of Agriculture, Division of Water Resources. Filed March 26, 1984 at 1:45 P.M., Recorded in Book 74 at Pages 493-495.
22. Subject to EASEMENT. Dated November 7, 1961. Executed by W. F. Renick and Anna J. Renick to Gray County, Kansas its successors and assigns. Filed November 7, 1961 at 1:00 P.M., Recorded in Book 59 at Page 183.
23. Subject to Certificate of Appropriation for Beneficial use of Water, Certificate No., 10,398, Water Right File No., 23,548, Priority date 2-3-75. Executed by State Board of Agriculture, Division of Water Resources. Filed March 26, 1984 at 1:45 P.M., Recorded in Book 74 at Pages 496-498.
24. Subject to Terms and provisions of Natural Gas Gathering Transmission, and Feeder Line Lease Dated June 23, 1987. Executed by Donoco Energy Corp, to Federal Land bank of Wichita. Filed June, 24, 1987 at 12:05 P.M., Recorded in Book 77 at Pages 19-26.

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25. Subject to Terms and provisions of Underground Rural Distribution Easement. Dated March 22, 1976. Executed by Renick Brothers Inc., to Wheatland Electric Cooperative Inc., its successors and/or assigns. Filed June 11, 1976 at 1:30 P.M., Recorded in Book 68 at Pages 390.
26. Subject to Certificate of Appropriation for Beneficial Use of Water No., 7782, Application No., 8521, Priority Date December 15, 1960. Executed by State Board of Agriculture, Division of Water Resources. Filed October 8, 1981 at 1:30 P.M., Recorded in Book 72 at Pages 233-234.
27. Subject to Certificate of Appropriation for Beneficial Use of Water No., 7784, Application No., 11,487, priority Dated December 10, 1965. Executed by State Board of Agriculture, Division of Water Resources. Filed October 8, 1981 at 1:35 P.M., Recorded in Book 72 at Pages 237-238.
28. Subject to Certificate of Appropriation for Beneficial use of Water No., 7785, Application No., 14,870. Priority Date March 22, 1968. Executed by State Board of Agriculture, Division of Water Resources. Filed October 8, 1981 at 1:35 P.M., Recorded in Book 72 at Pages 239-242.
29. Subject to Certificate of Appropriation for Beneficial use of Water No., 7786, Application No., 18,249. Priority Date June 22, 1971. Executed by State Board of Agriculture, Division of Water Resources. Filed October 8, 1981 at 1:35 P.M., Recorded in Book 72 at Pages 243-246.
30. Subject to Application for Change in Place of Use. File No. 8521. Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:45 P.M., Recorded in Book 72 at Pages 259-262.
31. Subject to Approval of Application for Change in Place of Use. File No., 8521. Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:45 P.M., Recorded in Book 72 at Pages 263-266.

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32. Subject to Approval of Application for Change in Place of Use. File No., 18,249. Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:45 P.M., Recorded in Book 72 at Pages 267-270.
33. Subject to Approval of Application for Change in Place of Use. File No., 11,487. Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:45 P.M., Recorded in Book 72 at Pages 271. 274.
34. Subject to Approval of Application for change in Place of Use, File No., 8751. Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:45 P.M., Recorded in Book 72 at Pages 275-278.
35. Subject to Approval of Application for Change in Place of use, File No., 8571. Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:55 P.M., Recorded in Book 72 at Pages 279-282.
36. Subject to Approval of Application for Change in Place of Use, File No., 8751, Executed by State Board of Agriculture, Division of Water Resources. Filed October 19, 1981 at 1:55 P.M., Recorded in Book 72 at Pages 283-284.
37. Subject to Certificate of Appropriation for Beneficial use of Water No., 10,297, Water Right File No., 23,547, Priority Date February 3, 1975. Executed by State Board of Agriculture, Division of Water Resources. Filed March 26, 1984 at 1:45 P.M., Recorded in Book 74 at Pages 493-495.
38. Subject to Application for Approval to Change the Place of Use and/or the Point of Diversion. Water Right File No., 18,249. Executed by State Board of Agriculture, Division of Water Resources. Filed April 24, 2006 at 9:20 A.M., Recorded in Book 94 at Pages 288-292.
39. Subject to General Warranty Deed, Executed by W. R. Renick, Inc., to The Secretary of Transportation of the State of Kansas, Filed August 20, 2009 at 9:45 A.M., Recorded in Book 123 at Pages 170-171
40. Subject to Certificate of Appropriation for Beneficial Use of Water, Water Right File No, 11,617; Priority Date February 3, 1966. Executed by State Board of Agriculture, Division of Water Resources. Filed March 16, 1987 at 2:30 P.M., Recorded in Book 76 at Pages 559-560.

HIGH PLAINS LAND & TITLE

PRIVACY POLICY NOTICE PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing non public personal information about you with a non affiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **HIGH PLAINS LAND & TITLE, and OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.**

We may collect non-public personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates, or others.
- We receive this information from your lender, attorney, real estate broker, etc.
- Information from public records.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional non-public personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, Securities and insurance.
- Non-Financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.