



TitleOne
a title & escrow co.

TitleOne Corporation

Authorized Agent for:

Westcor Land Title Insurance Company

File Number: C1028618 JW/DS

CONTACT INFORMATION

We would like to Thank You for your business. We appreciate the opportunity to serve you and the following contact information has been provided for your convenience during this transaction.

If you have any closing questions please contact your Escrow team:

Dianna Stork
Escrow Officer:
dstork@titleonecorp.com
868 E. Riverside Drive, Ste. 100
Eagle, Idaho 83616
(208) 246-8271 Phone
(208) 493-0201 Fax

Matt Bramwell
Escrow Assistant:
mbramwell@titleonecorp.com
868 E. Riverside Drive, Ste. 100
Eagle, Idaho 83616
(208) 947-1657 Phone
(208) 493-0201 Fax

If you have any title questions please contact your Title Officer:

Jeri White
Title Officer:
jwhite@titleonecorp.com
1101 W. River Street, Ste. 201
Boise, Idaho 83702
(208) 287-5330 Phone
(208) 287-5322 Fax

A copy of this commitment has been provided to:

Boyce Bailey
Corbett Bottles Real Estate Marketing
5418 N. Eagle Road Ste 160
Boise, ID 83713
(208)377-5700

Visit us at our website: www.titleonecorp.com

1101 West River St., Ste 201 Boise, Idaho 83702 208.424.8511 fax 208.424.0049
1940 S. Bonito Way, Ste. 190 Meridian, Idaho 83642 208.493.6350 fax 208.493.6360
868 E. Riverside Dr., Ste. 101 Eagle, Idaho 83616 208.493.0200 fax 208.493.0201
5660 E. Franklin Rd., Ste 101 Nampa, Idaho 83687 208.475.1155 fax 208.475.1156



TitleOne Corporation

Authorized Agent for:

Westcor Land Title Insurance Company

ALTA Commitment (6/17/06)

TitleOne
a title & escrow co.

File Number: C1028618 JW/DS

SCHEDULE A

- 1. **Effective Date:** June 18, 2010 at 07:30 AM
- 2. **Policy (or Policies) to be issued:**

<input checked="" type="checkbox"/> ALTA Owner's Policy (6/17/06)	Standard Coverage	Policy Amount:
Proposed Insured:		Premium:
To Be Determined		
Endorsements: None Requested		Charge:

- 3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**
Fee Simple

- 4. **The land described in this Commitment is owned, at the Effective Date, by:**
West River, LLC, an Idaho LLC

- 5. **The land referred to in the Commitment is described as follows:**

Lot 1 in Block 1 of West River Subdivision, according to the official plat thereof, filed in Book 38 of Plats at Page(s) 18, official records of Canyon County, Idaho.

(End of Schedule A)

TitleOne Corporation

By: _____
Jeri White, Title Officer

SCHEDULE B - SECTION I
REQUIREMENTS AND NOTES

ALTA Commitment (6/17/06)

File Number: C1028618 JW/DS

The following are the requirements to be complied with:

- a. The Company will require delivery of and approval by the Company of an Indemnity and Affidavit as to Debts, Liens and Possession, prior to the issuance of the policy.
- b. Necessary conveyance to the proposed insured.
- c. NOTE: According to the available records, the purported address of said land is:

TBD Oak River Lane
Caldwell, Idaho 83605

(End of Schedule B - Section I)

SCHEDULE B - SECTION II

ALTA Commitment (6/17/06)

EXCEPTIONS FROM COVERAGE

File Number: C1028618 JW/DS

Note: The Policy (or Policies) of insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. 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.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2010 which are a lien not yet due and payable.
8. Taxes, including any assessments collected therewith, for the year 2009 which are all delinquent.
Parcel Number: R30015100-0
Code Area: 181-00
Original Amount: \$430.78 plus penalty and interest.
9. Taxes, including any assessments collected therewith, for the year 2008 which are all delinquent.
Parcel Number: R30015100-0
Code Area: 181-00
Original Amount: \$1,031.72 plus penalty and interest.
10. Taxes, including any assessments collected therewith, for the year 2007 which are all delinquent.
Parcel Number: R30015100-0
Code Area: 181-00
Original Amount: \$753.89 plus penalty and interest.
11. Real property taxes which may be assessed, levied and extended on any "subsequent and/or occupancy roll" with respect to improvements completed during the current tax year and previous tax years, which escaped assessment on the regular assessment roll, which are not yet due and payable.

SCHEDULE B - SECTION II

ALTA Commitment (6/17/06)

EXCEPTIONS FROM COVERAGE

(Continued)

File Number: C1028618 JW/DS

12. Liens, Levies and Assessment of any and all irrigation districts, including but not limited to the Wilder Irrigation District and the rights, powers, and easements of said district as provided by law.
13. Liens, levies, and assessments of the West River Homeowners Association.
14. Right-of-way for Locust Lane and the rights of access thereto for maintenance of said lane.
15. All matters, and any rights, easements, interests or claims as disclosed by Record of Survey recorded December 31, 1998 as Instrument No. 9848756.
16. Easements, reservations, restrictions, and dedications as shown on the official plat of West River Subdivision.
17. Covenants, Conditions, and Restrictions, and, Easements but omitting covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: September 28, 2006
Instrument No.: 200678699

Amendments, Supplements, or Modifications of said Covenants, Conditions, and Restrictions:
Recorded: January 26, 2007
Instrument No.: 2007006320
18. A Construction Mortgage to secure an indebtedness in the amount shown below and any other obligations secured thereby:
Amount: \$1,500,000.00
Trustor/Grantor: West River, LLC
Beneficiary: M & T Mortgage Corporation
Dated: December 13, 2006
Recorded: December 13, 2006
Instrument No.: 2006098579
(Affects this and other property)

An agreement to modify the terms and provisions of said deed of trust as therein provided.
Executed by: West River, LLC and M & T Bank Corporation, a New York corporation, dba M & T Bank, as successor by merger to M & T Mortgage Corporation, a New York corporation
Recorded: March 11, 2009
Instrument No.: 2009011777

(End of Schedule B-II)

Canyon County, Idaho

generated on 6/28/2010 11:58:43 AM EST

Parcel

Parcel Number 30015100 0	Site Address OAK RIVER LN, CALDWELL	Current Total Assessed Value \$35,320
------------------------------------	---	---

Owner Information

Owner Name	WEST RIVER LLC
Mailing Address	984 W CORPORATE LN NAMPA ID 83651
Transfer Date	08/24/2006
Document #	200678697
Deed Book/Page	

Location / Description

Tax District	181-00	Section & Plat	
Canyon County	001,	Routing #	
Parcel Address	OAK RIVER LN, CALDWELL	Legal Desc.	06-2N-3W SE WEST RIVER SUB LT 1 BLK 1
Deeded Acreage	1.5800		

Parcel Type		Topography		Services	
Property Class Code	515 - Rural resid subdivisions	Level Ground	N	Water	
Neighborhood Code	300000	High	N	Sewer	
Neighborhood Factor	.00	Low	N	Natural Gas	
Street / Road Code		Rolling	N	Electricity	N
		Swampy	N	Sidewalk	
				Alley	N

Assessment Information

Current Land Value	\$35,320	Residential Land	\$0	Adjustment Factor	0.00
Current Imp. Value	\$0	Residential Imp.	\$0	Average Value / Acre	\$0
Current Total Assessed Value	\$35,320	Residential Total	\$0	Appraisal Date	1/27/2010
Commercial Land	\$2,320	Non-Res Land	\$0	Reason For Change	01
Commercial Imp.	\$0	Non-Res Imp.	\$0	Prior Land Value	\$37,610
Commercial Total	\$2,320	Non-Res Total	\$0	Prior Imp. Value	\$0
Dwelling Value	\$0	Classified Land Value	\$0		
Farmland Value	\$0	Homesite Value	\$0		

Canyon County, Idaho

generated on 6/28/2010 11:58:54 AM EST

Tax Record

Last Update:

Details

PIN	AIN	Tax Roll	Tax Year	Bill Number
30015100 0	093230010010	Real Property	2009	2009156398
Current Owner WEST RIVER LLC 984 W CORPORATE LN NAMPA ID 83651		Situs 0 OAK RIVER LN		
Owner of Record WEST RIVER LLC		Legal Description 06-2N-3W SE WEST RIVER SUB LT 1 BLK 1		
Lender		TAG 181-00		

Assessment Information

Authority	Exempt	Taxable	Rate	Gross	Credits	Net Tax	Savings
112 PEST CONTROL							
PEST CONTROL	0	37,610	0.000063772	2.40	0.00	2.40	0.00
653 AMBULANCE DISTRICT							
AMBULANCE DISTRICT	0	37,610	0.000199753	7.52	0.00	7.52	0.00
668 MOSQUITO ABATEMENT							
MOSQUITO ABATEMENT	0	37,610	0.000108048	4.06	0.00	4.06	0.00
690 NAMPA HWY DIST #1							
NAMPA HWY DIST #1	0	37,610	0.001046685	39.38	0.00	39.38	0.00
717 MARSING FIRE							
MARSING FIRE	0	37,610	0.000167681	6.30	0.00	6.30	0.00
751 LIZARD BUTTE LIBRARY							
LIZARD BUTTE LIBRARY	0	37,610	0.000384831	14.48	0.00	14.48	0.00
770 VALLIVUE SCHOOL DIST #139							
VALLIVUE SCHOOL DIST #139-BOND	0	37,610	0.00246091	92.54	0.00	92.54	0.00
VALLIVUE SCHOOL DIST #139-OTHER	0	37,610	0.000745034	28.02	0.00	28.02	0.00
VALLIVUE SCHOOL DIST #139-SUPPL	0	37,610	0	0.00	0.00	0.00	0.00
VALLIVUE SCHOOL DIST #139-SUPPLEMENTAL NO TIF	0	37,610	0.001893824	71.24	0.00	71.24	0.00
775 COLLEGE OF WESTERN IDAHO							
COLLEGE OF WESTERN IDAHO	0	37,610	0.000133257	5.00	0.00	5.00	0.00
998 CANYON COUNTY							
ASSESSORS REAPPRAISAL	0	37,610	0.000174447	6.56	0.00	6.56	0.00
CHARITY	0	37,610	0.000317102	11.94	0.00	11.94	0.00
COUNTY FAIR	0	37,610	0.000026335	0.98	0.00	0.98	0.00
CURRENT EXPENSE	0	37,610	0.001454547	54.70	0.00	54.70	0.00
DISTRICT COURT	0	37,610	0.00016295	6.14	0.00	6.14	0.00
HEALTH DISTRICT	0	37,610	0.000097881	3.68	0.00	3.68	0.00
HISTORICAL SOCIETY	0	37,610	0.000006058	0.24	0.00	0.24	0.00
JUSTICE	0	37,610	0.001882687	70.80	0.00	70.80	0.00
PARKS & RECREATION	0	37,610	0.000051638	1.94	0.00	1.94	0.00
TORT	0	37,610	0.000067069	2.52	0.00	2.52	0.00
WEED CONTROL	0	37,610	0.00000927	0.34	0.00	0.34	0.00
Total Net Tax						430.78	

Installment

Period	Due Date	Tax	Penalty/Fee	Interest	Total Due
First	12/20/2009	\$215.39	\$4.31	\$12.90	\$232.60
Second	6/20/2010	\$215.39	\$4.31	\$12.90	\$232.60
PayInFull					\$465.20
Delinquent Taxes					
Tax Year	Amount	Penalty	Interest	Total	
2007	\$753.89	\$15.07	\$229.66	\$998.62	
2008	\$1,031.72	\$20.66	\$187.96	\$1,240.34	
Total				\$2,238.96	

200678697

RECORDED

2006 SEP 28 PM 2 29

CANYON COUNTY RECORDER
BY [Signature]

WARRANTY DEED

FOR VALUE RECEIVED, **SHER-FIRE PROPERTIES, LLC**, an Idaho LLC the Grantor(s), do(es) hereby grant, bargain sell and convey unto **WEST RIVER, LLC**, an Idaho LLC, the Grantee, whose current address is 984 W. Corporate Ln. Nampa, ID 83651 the following described premises, in Canyon County, Idaho, TO WIT:

See attached legal description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 9-1-06

SHER-FIRE PROPERTIES, LLC

[Signature]
by James D. Shervik, managing member

State of Idaho
County of Canyon

On this 1st day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared James D. Shervik, known or identified to me to be the managing member of the limited liability company of Sher-Fire Properties, LLC, and the managing member who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary
Residing In Nampa, Idaho
Expires: 4/23/08



REQUEST Deese Loan
TYPE 100 FEE 10

PROPERTY DESCRIPTION

All that part of the West One-Half of the Southeast Quarter of Section 6, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, lying West of the centerline of Mora Canal as the same is now located;

EXCEPTING THEREFROM:

BEGINNING at the Northwest corner of the West Half of the Southeast Quarter of Section 6, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence East along the North boundary line of said West Half of the Southeast Quarter a distance of 875 feet; thence South at right angles a distance of 200 feet; thence West at right angles a distance of 875 feet; thence North along the West boundary line of said West Half of the Southeast Quarter a distance of 200 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

BEGINNING at a point 200 feet South of the Northwest corner of the West half of the Southeast Quarter of Section 6, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence East a distance of 400 feet; thence Southwesterly to a point 350 feet South of said Northwest corner; thence North along the West boundary line of said West Half of the Southeast Quarter a distance of 150 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A part of the Southwest Quarter of the Southeast Quarter of Section 6, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described to wit:

COMMENCING at the Southeast corner of the said Southwest Quarter of the Southeast Quarter; thence North 00°03'07" West 790.39 feet along the East line of the said Southwest Quarter of the Southeast Quarter to the INITIAL POINT of this description; thence continue North 00° 03'07" West 416.76 feet, to a point on the centerline of the Mora Canal; thence North 40°27'59" West 27.40 feet, along said centerline of the Mora Canal to a point on the centerline of the Stewart Lateral; thence meandering along said centerline of the Stewart Lateral South 54°05'16" West 19.06 feet, to a U.S. Reclamation Service Bench Mark Monument; thence continue South 54° 05'16" West 16.33 feet; thence South 40° 39' 38" West 52.09 feet; thence South 21°19'40" West 101.49 feet, to a point on a curve; thence curving to the left 92.30 feet along a curve having a radius of 149.64 feet, a central angle of 35°20'24", a tangent of 47.67 feet and a chord bearing South 03°58'42" East 90.84 feet; thence South 22°21'44" East 74.29 feet; thence South 28°35'00" East 64.45 feet; thence South 37°09'35" East 84.55 feet, to the INITIAL POINT of this description.

proposed West River Subdivision

RECORDATION REQUESTED BY:

M & T Bank Corporation, a New York Corporation dba M & T Bank, as successor by merger to M & T Mortgage Corporation, a New York Corporation c/o Stool Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, ID 83702

REQUEST TYPE: MISC FEE: 10

TITLEONE

WILLIAM H. HURST CANYON COUNTY RECORDER BY [Signature]

2009 MAR 11 PM 4 18

RECORDED

2009011777

Affects All lots

WHEN RECORDED MAIL TO:

M & T Bank Corporation, a New York Corporation dba M & T Bank, as successor by merger to M & T Mortgage Corporation, a New York Corporation c/o Stool Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, ID 83702

SEND TAX NOTICES TO:

M & T Bank Corporation, a New York Corporation dba M & T Bank, as successor by merger to M & T Mortgage Corporation, a New York Corporation c/o Stool Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, ID 83702

0617289

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated February 26, 2009, is made and executed between West River, LLC, whose address is 984 W. Corporate Lane, #201, Nampa, ID 83651; Member or designated agent (referred to below as "Grantor") and M & T Bank Corporation, a New York Corporation dba M & T Bank, as successor by merger to M & T Mortgage Corporation, a New York Corporation, whose address is 101 S. Capitol Blvd., Suite 1900, Boise, ID 83702 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated December 13, 2006 (the "Mortgage") which has been recorded in Canyon County, Idaho, as follows:

Recorded December 13, 2006, recording number 2006-098679 in the office of the Canyon County Recorder.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Canyon County,

Real property commonly known as West River Subdivision

Lots 1, 2, 3, 4, and 5 in Block 1; Lots 1, 2, 3, 4, 8, 9, 10, 11, 12, 13 and 14 in Block 2;

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17 and 19 in Block 3, West River

Subdivision, Canyon County, Idaho, according to the Official Plat thereof, filed in Book 38 of Plats at Page (s) 18, records of said County.

The Real Property or its address is commonly known as

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

The lot release price is decreased from \$116,250.00 to \$65,000.00; and the reference to a maturity date of the Mortgage is deleted. Further modifications to the Note and Related Documents (as defined in the Mortgage) are being made as part of a Forbearance Agreement dated February 26, 2009. In the event the lot release price is decreased from \$116,250.00 to \$65,000.00; and the of conflict between this Modification of Mortgage and the Forbearance Agreement, the Forbearance Agreement shall control.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED FEBRUARY 26, 2009.

GRANTOR:

WEST RIVER, LLC

By: [Signature] James D. Shervik, Member of West River, LLC

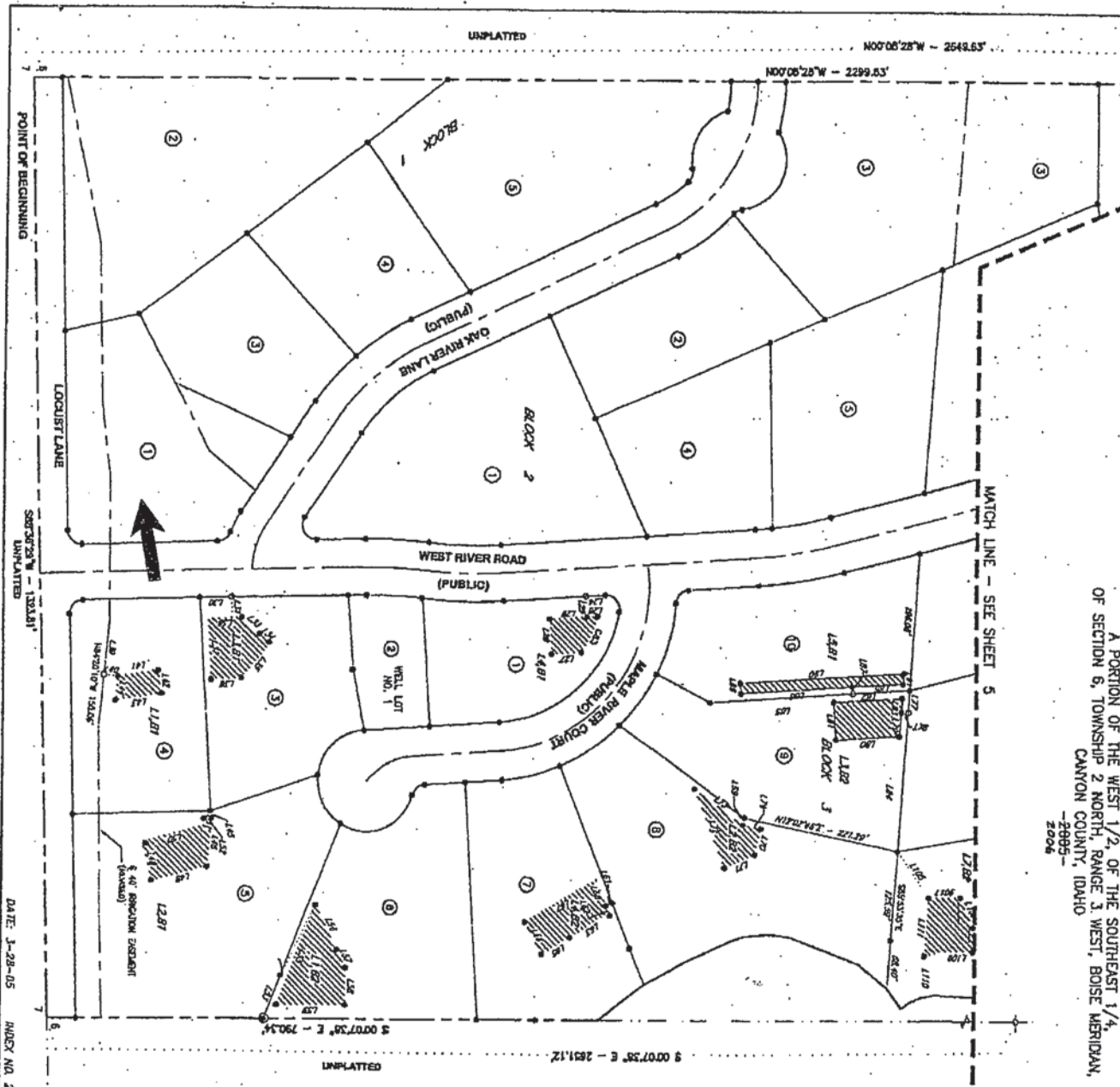
LENDER:

M & T BANK CORPORATION, A NEW YORK CORPORATION DBA M & T BANK, AS SUCCESSOR BY MERGER TO M & T MORTGAGE CORPORATION, A NEW YORK CORPORATION

X [Signature] Authorized Signer

WEST RIVER SUBDIVISION

A PORTION OF THE WEST 1/2, OF THE SOUTHEAST 1/4
 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
 CANYON COUNTY, IDAHO
 -2005-
 2004



DATE: 3-28-05 INDEX NO. 234-B-2-0-0-00-00

JCS NO. 041051001 SHEET 4 OF 6 SHEETS MARCH 15, 2005

BOOK PAGE

LEAVITT & ASSOCIATES
 ENGINEERS, INC.
 STRUCTURAL - CIVIL
 1001 1ST AVENUE, SUITE 200
 BOISE, IDAHO 83721
 PHONE: 476-7511 FAX: 476-7511

LEGEND

- ROUND SECTION CTR. MONUMENT
- ROUND 1/4 COR. MONUMENT
- ROUND 1/16 COR. MONUMENT
- ▲ FOUND MONUMENT AS NOTED
- SET 5/8" IRON PIN W/ PLASTIC CAP PLS 9995
- SET 1/2" IRON PIN W/ PLASTIC CAP PLS 9999
- COMPUTED POINT
- WITNESS CORNER
- W.C.
- B.L.
- REFERENCE MONUMENT
- BOUNDARY LINE
- LOT LINE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- RELOCATED GRANTY FASTENED LINE
- SECTION LINE
- CENTER LINE
- TIE LINE
- LOT NUMBER
- EASEMENT DIMENSION
- LOT 1, BLOCK 1
- SEWER LINE/DRAIN FIELD EASEMENT AREA

(IN FEET)
 1 Inch = 100 Ft.