



**TitleOne**  
a title & escrow co.

**TitleOne Corporation**

Authorized Agent for:

**Westcor Land Title Insurance Company**

**File Number: C1028635 JW/DS**

**CONTACT INFORMATION**

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**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](http://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)

File Number: C1028635 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 13 in Block 3 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: C1028635 JW/DS

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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:

11362 West River Road  
Caldwell, Idaho 83605

(End of Schedule B - Section I)

**SCHEDULE B - SECTION II**

ALTA Commitment (6/17/06)

**EXCEPTIONS FROM COVERAGE**

File Number: C1028635 JW/DS

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**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: R30015130-0  
Code Area: 181-00  
Original Amount: \$800.04 plus penalty and interest.
9. Taxes, including any assessments collected therewith, for the year 2008 which are all delinquent.  
Parcel Number: R30015130-0  
Code Area: 181-00  
Original Amount: \$1,357.84 plus penalty and interest.
10. Taxes, including any assessments collected therewith, for the year 2007 which are all delinquent.  
Parcel Number: R30015130-0  
Code Area: 181-00  
Original Amount: \$1,031.04 plus penalty and interest.

SCHEDULE B - SECTION II

ALTA Commitment (6/17/06)

EXCEPTIONS FROM COVERAGE

(Continued)

File Number: C1028635 JW/DS

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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.
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

SCHEDULE B - SECTION II  
EXCEPTIONS FROM COVERAGE  
(Continued)

ALTA Commitment (6/17/06)

File Number: C1028635 JW/DS

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(End of Schedule B-II)

## Canyon County, Idaho

generated on 6/28/2010 12:08:08 PM EST

**Parcel**

<b>Parcel Number</b> 30015130 0	<b>Site Address</b> 11362 WEST RIVER RD, CALDWELL	<b>Current Total Assessed Value</b> \$55,520
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**Owner Information**

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

**Location / Description**

<b>Tax District</b>	181-00	<b>Section &amp; Plat</b>	
<b>Canyon County</b>	001,	<b>Routing #</b>	
<b>Parcel Address</b>	11362 WEST RIVER RD, CALDWELL	<b>Legal Desc.</b>	06-2N-3W SE WEST RIVER SUB LT 13 BLK 3
<b>Deeded Acreage</b>	1.0200		

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

**Assessment Information**

<b>Current Land Value</b>	\$55,520	<b>Residential Land</b>	\$0	<b>Adjustment Factor</b>	0.00
<b>Current Imp. Value</b>	\$0	<b>Residential Imp.</b>	\$0	<b>Average Value / Acre</b>	\$0
<b>Current Total Assessed Value</b>	\$55,520	<b>Residential Total</b>	\$0	<b>Appraisal Date</b>	4/30/2008
<b>Commercial Land</b>	\$80	<b>Non-Res Land</b>	\$0	<b>Reason For Change</b>	01
<b>Commercial Imp.</b>	\$0	<b>Non-Res Imp.</b>	\$0	<b>Prior Land Value</b>	\$69,850
<b>Commercial Total</b>	\$80	<b>Non-Res Total</b>	\$0	<b>Prior Imp. Value</b>	\$0
<b>Dwelling Value</b>	\$0	<b>Classified Land Value</b>	\$0		
<b>Farmland Value</b>	\$0	<b>Homesite Value</b>	\$0		

Canyon County, Idaho

generated on 6/28/2010 12:08:13 PM EST

Last Update: 06/27/2010

**Details**

PIN	AIN	Tax Roll	Tax Year	Bill Number
30015130 0	093230030130	Real Property	2009	2009156428
<b>Current Owner</b> WEST RIVER LLC 984 W CORPORATE LN NAMPA ID 83651		<b>Situs</b> 11362 WEST RIVER RD		
<b>Owner of Record</b> WEST RIVER LLC		<b>Legal Description</b> 06-2N-3W SE WEST RIVER SUB LT 13 BLK 3		
<b>Lender</b>		<b>TAG</b> 181-00		

**Assessment Information**

Authority	Exempt	Taxable	Rate	Gross	Credits	Net Tax	Savings
<b>112 PEST CONTROL</b>							
PEST CONTROL	0	69,850	0.000063772	4.44	0.00	4.44	0.00
<b>653 AMBULANCE DISTRICT</b>							
AMBULANCE DISTRICT	0	69,850	0.000199753	13.96	0.00	13.96	0.00
<b>668 MOSQUITO ABATEMENT</b>							
MOSQUITO ABATEMENT	0	69,850	0.000108048	7.54	0.00	7.54	0.00
<b>690 NAMPA HWY DIST #1</b>							
NAMPA HWY DIST #1	0	69,850	0.001046685	73.12	0.00	73.12	0.00
<b>717 MARSING FIRE</b>							
MARSING FIRE	0	69,850	0.000167681	11.72	0.00	11.72	0.00
<b>751 LIZARD BUTTE LIBRARY</b>							
LIZARD BUTTE LIBRARY	0	69,850	0.000384831	26.88	0.00	26.88	0.00
<b>770 VALLIVUE SCHOOL DIST #139</b>							
VALLIVUE SCHOOL DIST #139-BOND	0	69,850	0.00246091	171.90	0.00	171.90	0.00
VALLIVUE SCHOOL DIST #139-OTHER	0	69,850	0.000745034	52.04	0.00	52.04	0.00
VALLIVUE SCHOOL DIST #139-SUPPL	0	69,850	0	0.00	0.00	0.00	0.00
VALLIVUE SCHOOL DIST #139-SUPPLEMENTAL NO TIF	0	69,850	0.001893824	132.28	0.00	132.28	0.00
<b>775 COLLEGE OF WESTERN IDAHO</b>							
COLLEGE OF WESTERN IDAHO	0	69,850	0.000133257	9.30	0.00	9.30	0.00
<b>998 CANYON COUNTY</b>							
ASSESSORS REAPPRAISAL	0	69,850	0.000174447	12.18	0.00	12.18	0.00
CHARITY	0	69,850	0.000317102	22.14	0.00	22.14	0.00
COUNTY FAIR	0	69,850	0.000026335	1.84	0.00	1.84	0.00
CURRENT EXPENSE	0	69,850	0.001454547	101.60	0.00	101.60	0.00
DISTRICT COURT	0	69,850	0.00016295	11.38	0.00	11.38	0.00
HEALTH DISTRICT	0	69,850	0.000097881	6.84	0.00	6.84	0.00
HISTORICAL SOCIETY	0	69,850	0.000006058	0.42	0.00	0.42	0.00
JUSTICE	0	69,850	0.001882687	131.50	0.00	131.50	0.00
PARKS & RECREATION	0	69,850	0.000051638	3.62	0.00	3.62	0.00
TORT	0	69,850	0.000067069	4.68	0.00	4.68	0.00
WEED CONTROL	0	69,850	0.00000927	0.66	0.00	0.66	0.00
<b>Total Net Tax</b>						<b>800.04</b>	

**Instalment**

Period	Due Date	Tax	Penalty/Fee	Interest	Total Due
First	12/20/2009	\$400.02	\$8.01	\$23.99	\$432.02
Second	6/20/2010	\$400.02	\$8.01	\$23.99	\$432.02

				PayInFull	\$864.04
<b>Delinquent Taxes</b>					
Tax Year	Amount	Penalty	Interest	Total	
2007	\$1,031.04	\$20.66	\$314.14	\$1,365.84	
2008	\$1,357.84	\$27.16	\$247.28	\$1,632.28	
				Total	\$2,998.12

200678697

REQUEST Deese Leamy  
TYPE Mod FEE 6-

RECORDED

2006 SEP 28 PM 2 29

G NOEL HALEES  
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 1<sup>st</sup> 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



## 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  $00^{\circ}03'07''$  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  $00^{\circ}03'07''$  West 416.76 feet, to a point on the centerline of the Mora Canal; thence North  $40^{\circ}27'59''$  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  $54^{\circ}05'16''$  West 19.06 feet, to a U.S. Reclamation Service Bench Mark Monument; thence continue South  $54^{\circ}05'16''$  West 16.33 feet; thence South  $40^{\circ}39'38''$  West 52.09 feet; thence South  $21^{\circ}19'40''$  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  $35^{\circ}20'24''$ , a tangent of 47.67 feet and a chord bearing South  $03^{\circ}58'42''$  East 90.84 feet; thence South  $22^{\circ}21'44''$  East 74.29 feet; thence South  $28^{\circ}35'00''$  East 64.45 feet; thence South  $37^{\circ}09'35''$  East 84.55 feet, to the INITIAL POINT of this description.

\*proposed West River Subdivision\*

