



Founders Title Company
746 East Winchester Street, Suite 100
Salt Lake City, UT 84107
Phone: 801-261-5505
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COMMITMENT FOR TITLE INSURANCE

Commonwealth Land Title Insurance Company

Order Number: 4640735
Reference Number: F85553UT

Schedule A

1. Effective Date: 12/04/2017 at 8:00 AM

2. Policy or Policies to be issued:

Policy to be Issued:
Foreclosure Report Policy

Proposed Insured:

Amount of Insurance:

Premium: \$300.00

Endorsements:

Endorsement Amount: \$

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

Fee Simple

4. Title to the estate or interest in the land described or referred to in this Commitment and covered herein is Fee Simple and is at the effective date hereof vested in:

Leslie D. Phenald, a married man

5. The land referred to in this Commitment is situated in the County of Utah, State of Utah, and described as follows:

See Exhibit "A" attached hereto, and by this reference made a part hereof:

The address of said property is: 4551 East Silver Creek Way, Eagle Mountain, UT 84005

Countersigned:



This Commitment is invalid unless Schedules B and Cover are attached.

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Schedule B Section 1 Requirements

Requirements:

1. Completion of the anticipated Trustees Sale process relative to the information provided in Schedule "B" herein.

Schedule B Section 2 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:

1. Any facts, rights, interest, or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
4. Any lien, 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. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or 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 of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Any Service, installation, connection, maintenance or construction charges for sewer, water, electricity or garbage collection or disposal or other utilities unless shown as an existing lien by the Public Records.
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 of record for value the estate or interest or Mortgage thereon covered by this Commitment.

Exception Numbers 1 through 8 will not appear in any Extended Coverage Mortgage Policy to be issued hereunder.

9. Taxes for the year 2017 have been paid. Taxes for the year 2018 will accrue as of January 1, 2018. Tax ID No. 66-084-0202. (2017 taxes were \$1,770.68.)
10. The land herein is located within the boundaries of Eagle Mountain and is subject to charges and assessments levied thereby.
11. Said property is included within the boundaries of Utah Valley Dispatch Special Service District, and is subject to the charges and assessments thereof.
12. Certificate of Annexation for Utah Transit Authority and the terms, conditions and limitations contained therein:
Recorded: January 2, 2009
Entry No.: 384:2009
13. Easements, Notes and/or Setback Lines as delineated and/or dedicated on the Official Recorded Plat.

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Schedule B Section 2 Exceptions continued

14. Easement and Conditions Contained therein
Grantee: Telluride Power Company
Dated: March 21, 1904
Recorded: July 7, 1904
Entry No: 2218
Book/Page: 65/541
15. Easement and Conditions Contained therein
Grantor: S.L.6, LLC
Grantee: Eagle Mountain City
Dated December 20, 2004
Recorded: December 21, 2004
Entry No. 142883:2004
16. Rights of others thereto entitled in and to the continued flow of existing ditches or streams.
17. Subject to any Rights of ways or Easements of the Provo Reservoir Company.
18. The terms, conditions and limitations contained in the Silverlake Community Design Guidelines
Recorded: January 18, 2005
Entry No: 5307:2005
19. Covenants, Conditions, Restrictions and/or Easements, except color, creed, national origin, religion, sex, handicap or familial status, unless and only to the extent that said Covenants (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons contained in instrument:
Recorded: January 18, 2005
Entry No: 5306:2005
- Amendment to said Covenants:
Recorded: March 20, 2013
Entry No.: 26772:2013
- Amendment to said Covenants:
Recorded: March 20, 2013
Entry No.: 26773:2013
- Amendment to said Covenants:
Recorded: April 11, 2013
Entry No.: 35227:2013
- Said Declaration provides among other things for the formation of a management board which has the power to assess charges for maintenance.
20. Covenants, Conditions, Restrictions and/or Easements, except color, creed, national origin, religion, sex, handicap or familial status, unless and only to the extent that said Covenants (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons contained in instrument:
Recorded: May 31, 2005
Entry No: 58199:2005

Schedule B Section 2 Exceptions continued

Amendment to said Covenants:
Recorded: August 19, 2010
Entry No.: 69950:2010

Said Declaration provides among other things for the formation of a management board which has the power to assess charges for maintenance.

21. Covenants, Conditions, Restrictions and/or Easements, except color, creed, national origin, religion, sex, handicap or familial status, unless and only to the extent that said Covenants (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons contained in instrument:

Recorded: August 20, 2008
Entry No: 92569:2008

Said Declaration provides among other things for the formation of a management board which has the power to assess charges for maintenance.

22. Notice of Continuing Lien and the terms, conditions and limitations contained therein:

Recorded: March 20, 2006
Entry No.: 32493:2006

23. Notice of Homeowners Association and Transfer Fee Silverlake Master Home Owners Association and the terms, conditions and limitations contained therein:

Recorded: August 8, 2008
Entry No.: 88611:2008

24. Notice of Reinvestment Fee and the terms, conditions and limitations contained therein:

Recorded: June 15, 2010
Entry No.: 49296:2010

Reinvestment Fee Covenant and the terms, conditions and limitations contained therein:

Recorded: February 7, 2014
Entry No.: 8786:2014 and 8787:2014

Reinvestment Fee Covenant and the terms, conditions and limitations contained therein:

Recorded: April 8, 2014
Entry No.: 23240:2014

Notice of Reinvestment Fee Covenant and the terms, conditions and limitations contained therein:

Recorded: April 8, 2014
Entry No.: 23241:2014

25. Certificate of Annexation of the Salt Lake Valley Fire Service Area and the terms, conditions and limitations contained therein:

Recorded: January 29, 2013 and January 8, 2014
Entry No.: 8709:2013 and as Entry No.: 1351:2014

26. DEED OF TRUST

Trustor: Leslie D. Phenald, a married man
Trustee: Richland Title Insurance Agency
Lender: MetLife Home Loans, a Division of MetLife Bank, N.A.

Schedule B Section 2 Exceptions continued

Beneficiary: Mortgage Electronic Registration Systems, Inc., (MERS), acting solely as a nominee for Lender and Lender's successors and assigns
Amount: \$209,675.00, plus interest
Dated: July 21, 2010
Recorded: July 22, 2010
Entry No.: 60824:2010

SUBSTITUTION OF TRUSTEE

Trustee: eTitle Insurance Agency
Recorded: January 23, 2012
Entry No.: 5435:2012

Loan Modification Agreement and the terms, conditions and limitations contained therein:
Recorded: February 20, 2013
Entry No.: 16078:2013

By successive assignments; the beneficial interest under said Deed of Trust is now held of record by JPMorgan Chase Bank, National Association.

NOTICE OF DEFAULT

Dated: December 6, 2013
Recorded: December 6, 2013
Entry No.: 111647:2013

SUBSTITUTION OF TRUSTEE

Trustee: Marlon L. Bates, attorney at law
Recorded: December 13, 2013
Entry No.: 113706:2013

27. LIEN

Claimant: Silverlake Villages at Silverlake Homeowners Sub-Association, Inc.
Amount: \$592.61
Recorded: March 1, 2012
Entry No.: 16672:2012

28. WARRANT IN FAVOR OF THE STATE OF UTAH

Against: Leslie D Phenald and Chandra D Phenald
Amount: \$1,928.46
For: Tax Lien
Entered: July 20, 2015
Warrant No.: 156405677

29. JUDGMENT

In favor of: State of Utah
Against: Leslie Dale Phenald
Amount: \$8,000.00, plus interest, costs and fees
Entered: June 23, 2015
Case No.: 151100402

30. JUDGMENT

City Of: PROVO
In favor of: UTAH STATE TAX COMMISSION

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Schedule B Section 2 Exceptions continued

Against: LESLIE D PHENALD
Amount: \$5,047.21, plus interest, costs and fees
Entered: August 22, 2016
Case No.: 166408404

31. For the purpose of determining the parties upon whom Notice of Sale must be served in a trustees sale of the interest of Trustors in the Trust Deed shown herein as Exception No. 26 , and for title insurance in standard coverage, we report as follows:

- a. vestees
- b. parties in possession
- c. Silverlake Villages at Silverlake Homeowners Sub-Association, Inc.

In addition to the printed exceptions relating to standard coverage, the contemplated proceedings (Trustee's Sale) will not affect Special Exception No's. 1 thru 25, inclusive, shown herein.

Public Law 89-719, the Federal Tax Lien Act, provided, among other things that where a Mortgage, Deed of Trust, or other security instrument is foreclosed, and there is a junior federal tax lien of record more than thirty days prior to the date of sale, that the U. S. shall be given Notice twenty-five days prior to such sale; and further, has, with respect to a lien under the Internal Revenue Laws, 120 days following the sale to redeem the property, or the time period allowable for redemption under State Law, whichever is longer. Reference is hereby made to said Act for the particulars thereof.

Subject to the avoidance powers contained in the Bankruptcy Reform Act of 1978 (11 USC), including any right of a Trustee in Bankruptcy to avoid statutory Trustee's Sales conducted pursuant to the Utah Trust Deed Statue or Sheriffs' Sale based on Judicial orders or decrees.

Attention is called to the Soldiers' and Sailors' Civil Relief Act of 1940 and amendments thereto which contain prohibitions against the sale of land under a Deed of Trust if the owner is entitled to the benefits of said Act.

NOTE: Any Policy issued subsequent to the anticipated foreclosure action shall contain exceptions relative to applicable redemption rights.

32. WARRANT IN FAVOR OF THE STATE OF UTAH
Against: Chandra D. Phenald and Leslie D. Phenald
Amount: \$458.41
For: Tax Lien
Entered: August 21, 2017
Warrant No.: 176407260

Schedule B Section 2 Exceptions continued

NOTE: Judgments were checked as to Leslie D Phenald and no unsatisfied judgments were found, except as shown.

Exhibit "A"
(Legal Description)

Lot 202, Plat Two-A, Silver Lake Subdivision, according to the official plat thereof, on file in the office of the Utah County Recorder.

The following is shown for information purposes only: 66-084-0202