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May 30, 2023

Benjamin Monarch and Betty Monarch Property

c/o: Americana Real Estate

RE: Property owned by Betty L. Monarch on July 20, 2004 with Betty L. Monarch as trustee, and the Benjamin Houston Monarch Revocable Trust, established for the benefit of Benjamin H. Monarch on July 20, 2004, with Benjamin H. Monarch, as trustee and being sold by Americana Real Estate

Map I.D. #: 45-1A (as to Tracts I & II)

2022 county real estate taxes have been paid. (Copy of County Tax Bill enclosed)

Dear Americana Real Estate.:

This is to certify that I have, in accordance with your request, examined the public records of the Breckinridge County Clerk's Office, affecting the title of the following properties:

TRACT I: Being the same property conveyed to Betty L. Monarch Revocable Trust, established for the benefit of Betty L. Monarch on July 20, 2004 with Betty L. Monarch as trustee, and the Benjamin Houston Monarch Revocable Trust, established for the benefit of Benjamin H. Monarch on July 20, 2004, with Benjamin H. Monarch, as trustee, by deed from Benjamin H. Monarch dated July 28, 2017 and recorded in Deed Book 406, page 330, Breckinridge County Clerk's Office.

TRACT II: Being the same property conveyed to Betty L. Monarch Revocable Trust, established for the benefit of Betty L. Monarch on July 20, 2004 with Betty L. Monarch as trustee, and the Benjamin Houston Monarch Revocable Trust, established for the benefit of Benjamin H. Monarch on July 20, 2004, with Benjamin H. Monarch, as trustee, by deed from Benjamin H. Monarch dated July 28, 2017 and recorded in Deed Book 406, page 326, Breckinridge County Clerk's Office.

My examination of the public records aforesaid covers a period of thirty (30) years from the date hereof and I find no record of conveyances, mortgages, vendor's liens, taxes, tax sales, mechanic's liens, lis pendens notices or other encumbrances affecting the title to said property, except as hereinafter set forth, however, this report does not cover city, county, or state taxes, if any, for the current year. This report is given solely for the use and benefit of the addressee only and there shall be no liability to any other party for any error(s) contained herein.

Based upon my examination aforesaid, it is my opinion that Benjamin Houston Monarch Revocable Trust, is vested with marketable title to the said property, in fee simple, subject only to the following:

1. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises; unrecorded rights of any party in actual possession of any portion of the subject property; any unrecorded easement(s) and public or private rights of way; any coal, oil, gas or other mineral right(s) heretofore excepted, reserved, leased or conveyed, together with all incidental rights thereto; and to any lien(s) accrued but not yet filed under K.R.S. 376 for work performed or materials furnished on the subject property.
2. Any law, ordinance or governmental regulation (including, but not limited to, building and zoning ordinances) restricting, regulating or prohibiting the occupancy, use or location of any improvement now or hereafter erected on said land, or prohibiting a separation in ownership or a reduction in the dimensions or area of any lot or parcel of land; any federal, state, or local environmental protection law(s), regulation(s) and ordinance(s) affecting said property.
3. Claim(s) or interest(s) of heir(s) not properly disclosed in recorded Affidavits of Descent or in bankruptcy proceedings affecting the subject property; and no certification is made as to the interest of any person inheriting an interest in the subject property whose name was omitted from any affidavit of descent appearing in the chain of title of the subject property.
4. Any defect, lien, encumbrance or other outstanding interest(s) either not lodged for record with or improperly indexed by the aforesaid clerk's office, and further, this examination is specifically limited to the properly indexed records of said clerk's office at the time this search was conducted.
5. No certification is made or opinion rendered as to the propriety, including jurisdiction of the court or service on the parties, of any court proceeding that resulted in a deed that is in the chain of title of the subject property.
6. It is assumed that all persons who executed deeds or other documents in the subject property's chain of title were competent to do so at the time they executed said deeds.
7. No certification is made as to the judgment of any court affecting the chain of title of the subject property that is not properly recorded in the County Court Clerk's Office referenced above.
8. No certification is made as to any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by a complete and accurate survey.

9. No certification is made as to any liens, out-conveyances or other documents recorded against or by person(s) using name(s) other than those contained in the subject property's chain of title or which have been supplied to the undersigned by the request for this title opinion.

10. The undersigned has examined title to the subject property solely for the purpose of determining the status of ownership of the subject property. The undersigned has not been requested to, and has not, evaluated the financial soundness of the borrower or the sufficiency of value of the property as collateral for any loan, and expressly disclaims any liability for the decision to enter into the loan, which decision is completely the responsibility of the institution/individual(s) making said loan.

11. Subject to the rights of the United States of America to flood the portion(s) of property below the yellow line, if applicable.

12. Subject to any flowage easements or other easements in favor of the United States of America and any laws of the United States of America which would affect the use of the property, if applicable.

13. Subject to all documents recorded in the Breckinridge County Clerk's Office which affect the subject property and are beyond the above-mentioned time scope of this title letter and which are not specifically listed herein.

14. Right-of-way easement from Benjamin H. and Betty L. Monarch to City of Hardinsburg dated April 30, 2009 and recorded in Deed Book 340, page 443, said clerk's office. (as to Tracts I & II)

15. No security agreements were examined. (as to Tracts I & II)

16. The undersigned recommends that Betty L. Monarch join in the deed transferring the property individually, to convey her dower interest.

17. Proposed deed conveying subject property to proposed buyer(s) must be properly executed and recorded.

This opinion has been rendered solely for the benefit of the addressee and its contents are not to be quoted or delivered to any other person or entity nor shall any other person or entity be allowed to rely on the contents herein without the prior written permission of this attorney.

This opinion is rendered as of May 30, 2023, at 8:00 A.M.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Nikki Anthony-Armes". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anna N. "Nikki" Anthony-Armes
Attorney at Law