

Clay County Abstract & Title Company
P.O. Box 235, 509 Court Street
Clay Center, KS 67432
785-632-5666

OWNERSHIP AND ENCUMBRANCE REPORT

**Auction for The Gardner Family Revocable Trust
Dated January 3, 1992**

File #2021018720

Effective Date of this Report: January 25, 2021 8:00 A.M.

Brief Legal:

Tract 1: NE/4 13-6-2, LESS Tr., Clay Co., KS
Tract 2: NE/4 11-10-2, Clay Co., KS
Tract 3: W/2 SE/4 36-9-1, Clay Co., KS
Tract 4: SW/4 36-9-1, Clay Co., KS
Tract 5: E/2 SE/4 & S/2 NE/4 34-9-1, Clay Co., KS

CAMA Number:

Tract 1: 036-13-0-00-00-001.01
Tract 2: 191-11-0-00-00-001
Tract 3&4: 137-36-0-00-00-003
Tract 5: 138-34-0-00-00-005

Owner:

The Gardner Family Revocable Trust, Dated January 3, 1992

Legal Description:

- Tract 1:** The Northeast Quarter (NE/4) of Section Thirteen (13), Township Six (6) South, Range Two (2) East of the 6th P.M., Clay County, Kansas, LESS the following described tract:
Beginning at the Northwest corner of said Northeast Quarter (NE/4);
Then South on the West line of said Northeast Quarter, a distance of 1,534.5 feet;
Then East, on and along the existing fence line, a distance of 668.5 feet;
Then North, on and along the existing fence line, a distance of 1,021 feet to a point 680.5 feet East of the West line of said Northeast Quarter;
Then in a Northeasterly direction to a point that is 813.5 feet East and 387 feet South of the Northwest corner of said Northeast Quarter;
Then North, a distance of 387 feet to the North line of said Northeast Quarter;
Then West a distance of 813.5 feet, on and along the North line of said Northeast Quarter to the Point of Beginning, SUBJECT to Road Right-of-Way and Easements of Record.
- Tract 2:** The Northeast Quarter (NE/4) of Section Eleven (11), Township Ten (10) South, Range Two (2) East of the 6th P.M., Clay County, Kansas.
- Tract 3:** The West Half of the Southeast Quarter (W/2 SE/4) of Section Thirty-six (36), Township Nine (9) South, Range One (1) East of the 6th P.M., Clay County, Kansas.
- Tract 4:** The Southwest Quarter of Section Thirty-six (36), Township Nine (9) South, Range One (1) East of the 6th P.M., Clay County, Kansas.
- Tract 5:** The East Half of the Southeast Quarter (E/2 SE/4) and the South Half of the Northeast Quarter (S/2 NE/4) of Section Thirty-four (34), Township Nine (9) South, Range One (1) East of the 6th P.M., Clay County, Kansas, Subject to One-Half Mineral Rights as set out in Deed at Deed Book 134 at Page 551 in the Office of the Register of Deeds in Clay County, Kansas.

Owner:

Tract 1: The Gardner Family Revocable Trust
Dated Jan. 3, 1992

Tract 2: The Gardner Family Revocable Trust
Dated Jan. 3, 1992

Tract 3: The Gardner Family Revocable Trust
Dated Jan. 3, 1992

Tract 4: The Gardner Family Revocable Trust
Dated Jan. 3, 1992

Tract 5: The Gardner Family Revocable Trust
Dated Jan. 3, 1992

Deed of Record:

General Warranty Deed:
Clay County Deed Book 150 at Page 245 on
July 1, 1994 at 1:10 P.M.,

Trust Deed:
Clay County Deed Book 146 at Page 187 on
June 25, 1992 at 11:50 A.M.,

Grant Deed:
Clay County Deed Book 145 at Page 187 on
January 10, 1992 at 9:30 A.M.

Grant Deed:
Clay County Deed Book 145 at Page 187 on
January 10, 1992 at 9:30 A.M.

Grant Deed:
Clay County Deed Book 145 at Page 187 on
January 10, 1992 at 9:30 A.M.

Tax Information: Real estate taxes for the year 2021 and all subsequent years, including annual special levies and assessments, if any, none of which are due and payable.

(Tract 1: 2020 Tax Amount: \$2,914.82, Paid in Full)

(Tract 2: 2020 Tax Amount: \$3,507.08, Paid in Full)

(Tract 3&4: 2020 Tax Amount: \$2,928.12, Paid in Full)

(Tract 5: 2020 Tax Amount: \$3,286.52, Paid in Full)

Easements &/or Rights of Way:

Right-of-Way Easement from Harvey W. Strom and Dorothy M. Strom, husband and wife, to Rural Water District No.1, Clay County, Kansas, dated February 2, 1965 and filed for record with the Clay County Register of Deeds July 30, 1965 at 10:30 A.M., in Misc. Book "Y" at Page 635. (Tract 1)

Right-of-Way Easement from Harvey W. Strom and Dorothy Strom, his wife, to Rural Water District No.1, Clay County, dated August 28, 1975 and filed for record with the Clay County Register of Deeds September 15, 1975 at 9:50 A.M., in Misc. Book 31 at Page 561. (Tract 1)

Right-of-Way Contract from A. Carpenter and Phebe Carpenter, his wife, to The Kansas Pipe Line & Gas Company, dated September 7, 1929 and filed for record with the Clay County Register of Deeds November 18, 1929 at 2:00 P.M., in Book "L" of Misc. at Page 366 and then assigned by Bill of Sale and Conveyance to The Kansas Power and Light Company, dated January 29, 1932 and recorded February 1, 1932 at 11:50 A.M., in Book "J" of Misc. At Page 545, then further assigned by Assignment to One Gas, Inc., dated April 28, 2015 and recorded May 8, 2015 at 11:15 A.M., in Clay County Record Book CR159 at Page 390, the Corrective Assignment filed for One Gas, Inc., dated May 10, 2017 and recorded January 26, 2018 at 3:18 P.M., in Clay County Record Book CR176 at Page 707. (Tract 2)

Grant of Right-of-Way from Curtis K. Gardner and Patricia A. Gardner, as trustee's under The Gardner Family Revocable Trust dated January 3, 1992 to Western Resources, Inc., dated June 21, 1994 and filed for record with the Clay County Register of Deeds May 10, 1995 at 10:45 A.M., in Misc. Book 57 at Page 565+. (Tract 2)

Grant of Easement from Charles H. Hofmann and Kathryn Hofmann, his wife, to Mid-America Pipeline Company, dated April 9, 1960 and filed for record with the Clay County Register of Deeds May 2, 1960 at 2:00 P.M., in Book "T" of Misc at Page 529, then assigned by Master Conveyance, Assignment and Bill of Sale to New Mid-America, dated January 1, 2001 and recorded February 13, 2001 at 10:00 A.M., in Clay County Record Book CR28 at Page 173+, then further assigned by Assignment and Assumption Agreement to Mid-America Pipeline Company, LLC, dated May 22, 2003 and recorded July 17, 2003 at 11:10 A.M., in Clay County Record Book CR52 at Page 157+. (Tract 4)

Oil & Gas Leases:

Oil and Gas Lease from Curtis K. Gardner and Patricia A. Gardner, as trustees of The Gardner Family Revocable Trust of January 3, 1992 to Chisholm Partners II, LLC, dated May 3, 2012 and filed for record with the Clay County Register of Deeds August 14, 2012 at 11:39 A.M., in Clay County Record Book CR137 at Page 205, then interest assigned by Assignment of Overriding Royalty Interest to Richard L. McKee, dated January 16, 2013 and recorded February 15, 2013 at 4:40 P.M., in Clay County Record Book CR141 at Page 576, then further interest assigned by Assignment of Overriding Royalty Interest to Pacific Oil and Gas, LLC, dated January 18, 2013 and recorded February 19, 2013 at 4:45 P.M., in Clay County Record Book CR141 at Page 626, then assigned by Assignment of Oil, Gas & Mineral Leases to Dala Petroleum Corp., dated April 2, 2014 and recorded May 21, 2014 at 2:30 P.M., in Clay County Record Book CR152 at Page 183, and further assigned to Chisholm Partners II, LLC, dated April 27, 2016 and recorded May 16, 2016 at 1:15 P.M., in Clay County Record Book CR166 at Page 162. (Tract 2)

Unreleased Deeds of Trust / Mortgages:

None

Liens and Judgements:

None.

Title Agent Note:

Tract 5: The Federal Land Bank of Wichita, Wichita, Kansas deeding property to Douglas Matson and Evelyn L. Matson, husband and wife, dated September 4, 1985 but Excepting and Reserving to Seller an undivided ½ of minerals and mineral rights which it presently owns including but not limited to, oil and natural hydrocarbon gases; non-hydrocarbon gases; helium; coal and lignite; sand and gravel and other minerals and mineral rights together with the right of ingress and egress to remove the same, filed for record with the Clay County Register of Deeds September 13, 1985 at 1:20 P.M., in Book 134 of Deeds at Page 551.

General Notes:

This report is limited to only the information described above.

This report is not nor is it to be construed as an Abstract of Title, title opinion, or title insurance policy.

Prepared By: Jennifer Tiers