## Loudoun Commercial Title, L.L.C.

December 20, 2006

Artin Safarian 1334 Shepard Drive Unit C Sterling, VA 20164

Dear Mr. Safarian:

Enclosed you will find the following original document(s) that we recently recorded in the appropriate county land records:

- Owner's Policy Artin Safarian Ponds at Lafayette Units 1790 & 1800 (LCT 06-0591)
- Deed Artin Safarian Ponds at Lafayette Units 1790 & 1800 (LCT 06-0591)

**These are original documents.** Please file this with your permanent records.

We appreciate your business, and we hope that you will think of Loudoun Commercial Title for all your commercial and residential title insurance and settlement needs. Thank you.

Sincerely

John L. Mashack Licensed Title Agent

### OWNER'S POLICY OF TITLE INSURANCE

### Issued by Commonwealth Land Title Insurance Company



Commonwealth Land Title Insurance Company is a member of the LandAmerica family of title insurance underwriters.

**POLICY NUMBER** B75-0060898

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE 8 AND THE CONDITIONS AND STIPULATIONS, COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Pennsylvania corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

- Title to the estate or interest described in Schedule A being vested other than as stated therein;
- 2. Any defect in or lien or encumbrance on the title;
- 3. Unmarketability of the title;
- Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

#### COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest: Loudoun VA 20175-3732

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By: Robert M. Gordon, President

**EXCLUSIONS FROM COVERAGE** 

Ph: (703) 737-3800 The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

- Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of
  - Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
- Defects, liens, encumbrances, adverse claims or other matters:
  - created, suffered, assumed or agreed to by the insured claimant;
  - not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - resulting in no loss or damage to the insured claimant;
  - attaching or created subsequent to Date of Policy, or (d)
  - resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
- Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
  - the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
    - to timely record the instrument of transfer; or
    - of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

ALTA Owner's Policy (10/17/92) (Modified: Arbitration Deleted)



#### SCHEDULE A

#### OWNER'S POLICY

FILE NUMBER	DATE of POLICY	AMOUNT of INSURANCE	POLICY NUMBER
LCT 06-0591	11/08/06 at 3:04 PM	\$840,325.00	B75-0060898

1. Name of Insured:

Artin Safarian

2. The estate or interest in the land that is covered by this policy is:

Fee Simple

Subject to:

Deed of Trust dated November 6, 2006, from Artin Safarian to H. Carter Land III and James C. Clark, Trustees, securing Burke & Herbert Bank & Trust Company in the original principal amount of \$672,260.00, and recorded in Deed Book 18903, at Page 305, among the land records of Fairfax County, Virginia.

3. Title to the estate or interest in the land is vested in:

Artin Safarian

Being the same property described in a Deed from Moore-Lafayette I LLC, dated November 6, 2006, and recorded in Deed Book 18903, at Page 302, among the land records of Fairfax County, Virginia.

4. The land referred to in this policy is described as follows:

See Attached Exhibit A

LOUDOUN COMMERCIAL TITLE, LLC

Authorized Officer or Licensed Agent

Issued at:

108 South Street, SE

Suite G

Leesburg, VA 20175-3732

This Policy is invalid unless the cover sheet and Schedule B are attached.



File No. LCT 06-0591

#### **SCHEDULE A**

continued

Policy No. **B75-0060898** 

#### EXHIBIT A LEGAL DESCRIPTION

All of that certain parcel of real property, situate, lying and being in Fairfax County, Virginia, with all improvements thereon, more particularly described as follows:

CONDOMINIUM UNITS 1790 and 1800, PHASE I, The Ponds at Lafayette Commercial Condominium, a Condominium, as the same appears as per Declaration of Condominium, Bylaws, and Condominium Plats and Plans, recorded July 31, 2006 in Deed Book 18649, at Page 1746, among the Land Records of Fairfax County, Virginia.

AND BEING a portion of the same property conveyed to Moore-Lafayette I LLC, a Virginia Limited Liability Company, by virtue of a Deed from Moore-Lafayette I LLC and Moore-Lafayette II LLC, dated April 10, 2006, and recorded at Deed Book 18402, at Page 1890, among the Land Records of Fairfax County, Virginia.

NOTE: The parcel of land on which the Condominium is located, and which comprises common elements and/or limited common elements of the Condominium, is Parcel 2A, containing 8.0180 acres of land, more or less, as duly dedicated, platted and recorded by Deed of Dedication, Subdivision, Easement and Vacation dated October 25, 2005, and recorded in Deed Book 17977, at Page 1228, among the aforesaid Land Records.

Street Address: 4229 Lafayette Center Dr. #1790, 1800, Chantilly, VA 20151

PIN: 0332 10 1790, 0332 10 1800.



#### SCHEDULE B

File No. LCT 06-0591

Policy No. **B75-0060898** 

#### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

- Real estate taxes, other public charges (including, but not limited to, assessments by any county, municipality, Metropolitan District or Commission) and the balance of any such charges payable on an annual basis which are not yet due and payable. Note: Real Property taxes are paid through June 30, 2006.
- 2. Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney and limitations of title, including but not limited to, the use of and rights of others in and to the use of all common elements and any limited common elements, including parking spaces, ereated by Chapter 4.2, Title 55 of the Code of Virginia (1950 as amended), known as the Virginia Condominium Act, and/or as set forth in Declaration of Condominium, Bylaws, and Condominium Plats and Plans, recorded July 31, 2006 at Deed Book 18649, at Page 1746, and any instrument creating the estate or interest insured by this Commitment/Policy, and in any other allied instruments referred to in any of the foregoing as the foregoing have been amended in any and all amendments subsequent thereto as permitted by said Declaration.
- 3. Easement(s) granted in, and terms and conditions of, Reciprocal Easement Agreement dated April 10, 2006, between Moore-Lafayette I LLC and Moore-Lafayette II LLC, recorded in Deed Book 18402, at Page 1898.
- 4. Storm Water Detention Agreement between Lafayette Business Center Associates and Fairfax County Board of Supervisors, recorded in Deed Book 6458, at Page 1493; Assignment and Assumption Regarding Storm Pond recorded at Deed Book 7071, at Page 487.
- 5. Easements to Fairfax County Board of Supervisors, recorded at Deed Book 7033 at Page 1531, Modified at Deed Book 7514, at Page 470.
- 6. Easement to Chesapeake and Potomac Telephone Company of Virginia recorded at Deed Book 7043, at Page 446 and in Deed Book 7043 at Page 483.
- 7. Easements to Fairfax County Board of Supervisors, recorded in Deed Book 7514, at Page 470.
- 8. Easements to Fairfax County Board of Supervisors, recorded in Deed Book 7523, at Page 1116.
- 9. Terms, provisions, conditions, easements and restrictions set forth in Declaration of Covenants, Conditions, and Restrictions for Lafayette Business Center, recorded in Deed Book 6057 Page 396 among the land records of Fairfax County, Virginia. NOTE: In the event that any exception herein contains covenants, conditions and restrictions, said exception omits any covenants or restrictions, 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.
- 10. Terms of Density Allocation Covenant and attached plat, recorded in Deed Book 6577, at Page 934, among the land records of Fairfax County, Virginia.
- Easement(s) granted to Washington Gas Light Company, recorded in Deed Book 7110, at Page 279.



#### SCHEDULE B

File No. LCT 06-0591 continued

Policy No. **B75-0060898** 

- 12. Easement(s) granted to Fairfax County Water Authority, by Deed of Easement Dated October 19, 2005, recorded in Deed Book 17888, at Page 1993.
- 13. Easement(s) granted to Fairfax County Board of Supervisors by Deed of Dedication, Subdivision, Easement and Vacation dated October 25, 2005, recorded in Deed Book 17977, at Page 1228.
- 14. Easement(s) granted to Virginia Electric and Power Company in Right of Way Agreement dated May 26, 2006, and recorded in Deed Book 18528, at Page 656.
- 15. Easement(s) granted to MCImetro Access Transmission Services of Virginia, Inc. by Right of Way and Easement Agreement dated April 1, 2006, and recorded in Deed Book 18677, at Page 33, among the land records of Fairfax County, Virginia.
- 16. Easement(s) granted to the Board of Supervisors of Fairfax County and The Ponds at Lafayette Commercial Condominium Unit Owners Association by Deed of Dedication and Vacation dated September 6, 2006, recorded September 18, 2006, in Deed Book 18765, at Page 0109.

All recorded documents referred to herein are recorded among the Land Records of the County of Fairfax, Virginia.



#### Dear LandAmerica Customer:

The Financial Services Modernization Act recently enacted by Congress has brought many changes to the financial services industry, which includes insurance companies and their agents. One of the changes is that we are now required to explain to our customers the ways in which we collect and use customer information.

The statement attached to or on the reverse side of this letter is the privacy policy of the LandAmerica family of companies. The three largest members of the family - Commonwealth Land Title Insurance Company, Lawyers Title Insurance Corporation, and Transnation Title Insurance Company - may issue policies and handle real estate closings in virtually every part of the country. A number of other companies in the family provide other real estate services, and some operate more locally. You may review a list of LandAmerica companies on our website (www.landam.com). You may also visit our website for an explanation of our privacy practices relating to electronic communication.

Our concern with the protection of your information has been a part of our business since 1876, when the company that is now Commonwealth Land Title Insurance Company issued its first policy. We will continue to protect the privacy, accuracy, and security of customer information given to us.

No response to this notice is required, but if you have questions, please write to us:

LandAmerica Privacy P.O. Box 27567 Richmond, VA 23261-7567

#### LandAmerica Companies

<u>Title Insurance Companies:</u> Commonwealth Land Title Insurance Company, Commonwealth Land Title Insurance Company of New Jersey, Industrial Valley Title Insurance Company, Land Title Insurance Company. Lawyers Title Insurance Corporation, Title Insurance Company of America, Transnation Title Insurance Company, Transnation Title Insurance Company of New York

<u>Relocation and Mortgages:</u> Commonwealth Relocation Services, CRS Financial Services, Inc., LandAmerica Account Servicing, Inc.

Title Agents: Austin Title Company, ATACO, Inc., Albuquerque Title Company, Atlantic Title & Abstract Company, Brighton Title Services Company, Capitol City Title Services, Inc., CFS Title Insurance Agency, Charleston Title Agency; Charter Title Company of Fort Bend, Galveston, and Sugarland; Commercial Settlements, Inc., Commonwealth Land Title Company; Commonwealth Land Title Company of Austin, Dallas, Fort Worth, Houston, Washington, Congress Abstract Corp., Cornerstone Residential Title, Cumberland Title Company, First Title & Escrow, Inc., Gulf Atlantic, Harbour Title, HL Title Agency, Lawyers Title Company; Lawyers Title of Arizona, El Paso, Galveston, Nevada, Pueblo, San Antonio, Lawyers Title Settlement Company, Lion Abstract, Longworth Insured, Louisville Title Agency of Central Ohio, Lorain County Title Company, M/I Title Agency, NIA/ Lawyers Title Agency, Oregon Title, Park Title, Partners Title Company, Pikes Peak Title Services, RE/Affirm Title Agency, Rainier Title Company, Residential Abstract, Residential Title, Rio Rancho Title, Texas Title Company, Title Transfer Service, Inc., TransOhio Residential Title Agency, Transnation Title & Escrow, Union Title Agency, University Title Services, Wilson Title Company

Appraisals and Ancillary Services: LandAmerica OneStop, Inc.



#### LANDAMERICA PRIVACY POLICY

What kinds of information we collect. Most of LandAmerica's business is title insurance, but there are companies in our family that provide other real estate services to consumers. We collect information about you, (for instance, your name, address, telephone number), and information about your transaction, including the identity of the real property that you are buying or financing. We obtain a copy of any deeds, notes, or mortgages that are involved in the transaction. We may get this information from you or from the lender, attorney, or real estate broker that you have chosen. Our title insurance companies then obtain information from the public records about the property so that we can prepare a title insurance policy. When we provide closing, escrow, or settlement services, mortgage lending, or mortgage loan servicing, we may get your social security number, and we may receive additional information from third parties including appraisals, credit reports, land surveys, escrow account balances, and sometimes bank account numbers to facilitate the transaction. If you are concerned about the information we have collected, please write to us.

How we use this information. The company giving or specifically adopting this notice does not share your information with marketers outside its own family. There's no need to tell us to keep your information to ourselves because we share your information only to provide the service requested by you or your lender, or in other ways permitted by law. The privacy laws permit some sharing without your approval. We may share internally and with nonaffiliated third parties in order to carry out and service your transaction, to protect against fraud or unauthorized transactions, for institutional risk control, and to provide information to government and law enforcement agencies. Companies within a family may share certain information among themselves in order to identify and market their own products that they think may be useful to you. Credit information about you is shared only to facilitate your transaction or for some other purpose permitted by law.

How we protect your information. We restrict access to nonpublic personal information about you to those employees who need the information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with law to guard your nonpublic personal information. We reinforce the company's privacy policy with our employees.

Agents that may be covered by this policy. Often, your transaction goes through a title insurance agent. Agents that are part of the LandAmerica family are covered by this policy. Agents that are not part of the LandAmerica family may specifically, in writing, adopt our policy statement.



# IMPORTANT INFORMATION REGARDING YOUR INSURANCE

In the event you need to contact someone about this policy for any reason, please contact your agent. If you have additional questions, you may contact the insurance company issuing this policy at the following address and telephone number:

Commonwealth Land Title Insurance Company 10513 Judicial Drive, Suite 200 Fairfax, Virginia 22030 (703) 591-2400 Fax: (703) 352-8337

For your information, the notice provisions of the policy of title insurance issued to you as insured requires all notices required under the policy be directed in writing to Commonwealth Land Title Insurance Company at the above address.

If you have been unable to contact or obtain satisfaction from the company or the agent, you may contact the **Virginia Bureau of Insurance** at:

Bureau of Insurance Property and Casualty Division P. O. Box 1157 Richmond, Virginia 23218 Telephone: (804) 786-3741 or (800) 552-7945

Written correspondence is preferable so that a record of your inquiry is maintained. When contacting your agent, company or Bureau of Insurance, have your policy number available.

Policy No. B75-0060898

Loudoun Commercial Title, L.L.C.
108 South Street, SE, Suite G

Leceburg, VA 20175-3732

Robert M. Gordon, President Ph: (703) 737-3800