

**L&C**

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**Looney & Chadwell Title Services, LLC**

156 Rector Avenue, P.O. Box 3489

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**ID# 20-2766481**

**KMC**

**July 20, 2017**

**Tays Realty & Auction, LLC**

**Attn: Kyle Therriault**

**Re: James W. Marquess**

Title Examination (Three Tracts)	\$350.00
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<b>TOTAL</b>	<b>\$350.00</b>
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**LOONEY, LOONEY & CHADWELL, PLLC**  
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**ATTORNEY'S PRELIMINARY REPORT ON TITLE**

TO: **TAYS REALTY & AUCTION, LLC**

RE: **JAMES W. MARQUESS**

Based upon a personal examination of the public records for a period of thirty (30) years preceding the date of this certificate affecting the title to the real estate described on Exhibit "A" attached to this Attorney's Preliminary Report on title, the undersigned certifies to the above-named addressee that marketable fee simple title to the real property described on Exhibit "A" is vested in **James W. Marquess**, by virtue of the instrument referenced in Exhibit "A" and subject to the matters appearing on Exhibit "B" and the following matters:

1. The lien of Cumberland County real property taxes for the year 2017, not yet due nor payable and subsequent years for Map 138-H, Group H, Parcel 21.00. The taxes for 2016 were paid March 15, 2017 in the amount of \$25.00 on Receipt #36500. The taxes for 2015 are **past due and delinquent** in the amount of \$77.88, if paid in July, with the Clerk and Master.
2. The lien of Cumberland County real property taxes for the year 2017, not yet due nor payable and subsequent years for Map 138-H, Group H, Parcel 22.00. The taxes for 2016 were paid March 15, 2017 in the amount of \$468.00 on Receipt #36501.
3. The lien of Cumberland County real property taxes for the year 2017, not yet due nor payable and subsequent years for Map 138-H, Group H, Parcel 23.00. The taxes for 2016 were paid March 15, 2017 in the amount of \$25.00 on Receipt #36502. The taxes for 2015 are **past due and delinquent** in the amount of \$77.88, if paid in July, with the Clerk and Master.
4. No liens or Trust Deeds found, please verify with the property owner.
5. The spouse of James W. Marquess, if any, must join in the Warranty Deed.
6. Restrictive covenants of record at Deed Book 34, page 324, Register's Office, Cumberland County, Tennessee.
7. Easements and all other matters appearing on the plats of record at Plat Book 9, page 41 and Plat Book 8, page 111, Register's Office, Cumberland County, Tennessee.

This Certificate is dated as of the 20<sup>th</sup> day of July, 2017 at 8:00 A.M.

**LOONEY, LOONEY & CHADWELL, PLLC**

BY: 

**Kenneth M. Chadwell, Attorney**

## EXHIBIT "A"

### TRACTS 1 & 2: Map138H-H-23.00 and Map 138H-H-22.00

The following described tract of land is a combination of two lots **#12 and #13 of the Oak Hill Subdivision**, which is recorded in Plat Book 9 on Page 41 in the Register's Office of Cumberland County, Tennessee and is located in the Third Civil District of said county. The Original tract of land being parcel number's 22 and 23, group "H" on tax map number 138H in the tax assessor's office of said county.

Beginning on an existing 3/8" rebar located in the Northern ROW of Oak Hill Drive; thence with said road ROW for the next two (2) courses and distances; (1) North-83 degrees-19 minutes-44 seconds-West 90.02 feet to a point; (2) North-83 degrees-19 minutes-44 seconds-West 89.72 feet to an existing 1/2" rebar; thence leaving said road ROW North-06 degrees-40 minutes-08 seconds-East 203.50 feet to an existing 1/2" conduit; thence South-82 degrees-22 minutes-08 seconds-East 89.94 feet to an existing 1/2" conduit; thence South-82 degrees-39 minutes-22 seconds-East 90.02 feet to an existing 1/2" conduit; thence South-06 degrees-43 minutes-44 seconds-West 200.93 feet to the point of Beginning. Containing **0.834 acre**, more or less as per survey by O.D. Pugh, Jr., RLS #699 located at 107 Livingston Road, Crossville, Tennessee 38555, dated July 9, 1998. Being Survey Job Number (98213-1).

### TRACT 3: Map 138H-H-21.00

Being **Lot 14 of the Oak Hill Subdivision** as show by a plat of same of record in Plat Book 9, Page 41, Register's Office, Cumberland County, Tennessee.

The tracts above are subject to the restrictive covenants as filed in Deed Book 34, Pages 324-325, Register's Office, Cumberland County, Tennessee. Also subject to the plats of record in Plat Book 9, Page 41, and Plat Book 8, Page 111, Register's Office, Cumberland County, Tennessee.

Being the same property acquired by James W. Marquess, by virtue of a deed dated January 8, 2015, from Lee Ann C. Marquess, of record at Book 1445, page 2142, Register's Office, Cumberland County, Tennessee.

**EXHIBIT "B"**  
(Additional Exceptions)

1. 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.
2. The rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, violated restrictions, boundary line disputes, or any matter not of record which would be disclosed by an accurate and certified transit survey and/or visual inspection of the premises. This certificate will not insure the acreage or area contained in a given tract nor the accuracy of location of boundary lines, nor the location or contiguity of the interior lines of any parcels making up such premises.
3. Easements, or claims of easements, not shown by the public records.
4. The rights of upper and lower riparian owners. The potential riparian rights, if any, are neither guaranteed nor certified.
5. Any instrument in the chain of title being a forgery or having been procured by fraud.
6. Any impropriety in the delivery of any deed in the chain of title.
7. The incompetence or minority of any person executing any instrument in the chain of title.
8. Lack of corporate capacity or the proper corporate authorization for the execution of any instrument in the chain of title executed by a corporation.
9. Any claim or ownership interest of undisclosed heirs and the omission by any such heirs of the execution of any instrument in the chain of title.
10. The effect of any laws, ordinances, governmental regulations, the power of eminent domain, or governmental exercise of the police power, that may affect the subject property.
11. Marital rights of any undisclosed spouse of any grantor executing instruments in the chain of title who did not join in the conveyance of the subject property.
12. Any federal litigation or bankruptcy proceedings affecting title to the subject property for which there is nothing of record in the Register's Office of the County where the land lies to indicate the pendency and/or status of such litigation or proceedings.
13. Subject to the proper indexing of all instruments in the chain of title in the Register's Office of the County where the land lies.
14. Any potential rollback taxes which may be imposed pursuant to the Agricultural, Forest and Open Space Land Act of 1976, codified at Tennessee Code Annotated §67-5-101, et seq.
15. All oil, gas, or other minerals that are, or may be, claimed by others.
16. Such state of facts and/or circumstances as may be known to the addressees of this Report on Title and their privies for whom this opinion is prepared which may be contrary to or inconsistent with the findings herein expressed, which facts and/or circumstances have not been made known to the undersigned.
17. The effects of the Subdivision Regulations of the Cumberland County Regional Planning Commission and Regional and Municipal Planning Statutes codified in Chapters 3 and 4 of Title 13 of the Tennessee Code Annotated, and any amendments thereto, upon or with regard to the subject real property, including, but not limited to, any loss, damages or claims arising from failure to comply to said regulations and statutes or failure to obtain authorization under said regulations and statutes for the subdivision of the real property or the division of the subject real property from a larger tract of property.