

I certify that I prepared this instrument

WBNTS-2, 5, 7 & 10

*[Signature]*  
Office of the General Counsel  
Tennessee Valley Authority  
Knoxville, Tennessee  
Telephone 865-632-7034  
Facsimile 865-632-2422

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY,  
Plaintiff,

v.

No. 4:16-CV-00026-HSM-SKL

EASEMENTS AND RIGHTS-OF-WAY OVER  
A TOTAL OF 16.95 ACRES OF LAND,  
MORE OR LESS, IN VAN BUREN COUNTY,  
TENNESSEE, and  
CUNNINGHAM PROPERTIES, LLC,  
THE LAND TRUST FOR TENNESSEE, INC.,  
Defendants.

BK/PG: RB86/149-154	
16000796	
6 PGS:AL-JUDGMENT	
APRIL BATCH: 17057	
09/16/2016 - 10:00:29 AM	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	32.00
STATE OF TENNESSEE, VAN BUREN COUNTY	
APRIL SHOCKLEY	
REGISTER OF DEEDS	

ATTEST: A true copy  
Certified this 8/29/16  
Debra G. Poplin, Clerk  
by [Signature] Dep. Clerk

**JUDGMENT AND ORDER DISBURSING FUNDS**

This action came on to be considered, and it appears to the Court, as evidenced by the signatures below, that the parties have agreed to resolve this action as hereinafter provided.

It is, therefore, **ORDERED AND ADJUDGED** that:

1. Defendants shall recover of the Plaintiff \$66,280 as full compensation for the taking of the easements and rights-of-way herein condemned, which amount has been deposited by Plaintiff with the registry of this Court in this action, the disbursement of which is provided for in paragraph 2 below.

2. The Clerk of this Court is authorized and directed to (1) close out the money-market deposit account that was created pursuant to the Investment Order entered herein (Doc. 5), (2) deposit the sum received from the account into the registry of this Court, (3) draw two checks on the funds on deposit in the registry of this Court in the principal amount of \$66,280 (plus all interest earned on the account less the Clerk's registry fee) (1) a check in the amount of \$47,950 payable to Cunningham Properties, LLC, and mail said check to Cunningham Properties, LLC,

c/o Robert W. Cunningham, 1523 Bethlehem Road, Doyle, Tennessee 38559; and (2) a check in the amount of \$18,330 payable to The Land Trust for Tennessee, Inc., and mail said check to The Land Trust for Tennessee, Inc., c/o Emily Parish, 209 10<sup>th</sup> Avenue South, Suite 327, Nashville, Tennessee 37203.

3. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed herein on April 4, 2016 (Doc. 1-3), is hereby fully and finally confirmed with respect to the easement rights described below, said descriptions being the same as in Attachment 1 to the Declaration of Taking filed herein (Doc. 1-4):

Permanent easements and rights-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said rights-of-way, together with the right to clear said rights-of-way and keep the same clear of all trees, brush, buildings, signboards, billboards, and fire hazards, to destroy or otherwise dispose of such trees and brush, and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said rights-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land, annual crops, fences, and roads resulting directly from the operations of the construction and maintenance forces of the Tennessee Valley Authority in and about the erection and maintenance thereof, all upon, under, over, and across the following-described land.

TRACT NO. WBNTS-2

A parcel of land located in the Second Civil District of Van Buren County, State of Tennessee, as shown on a map entitled "Watts Bar – Nashville Transmission Line Tap to Spencer, Tenn.," drawing LW-2250, sheet P18A, R.1, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said parcel being more particularly described as follows:

Commencing at 5/8 in. rebar a common corner to the Cunningham Properties, LLC (Deed Book RB69, Page 135), and Anna Marie Metcalf (Deed Book RB79, Page 730); thence along said property line N. 50° 10' 57" E., 318.31 feet to a point in the right-of-way, the said point being the Point of Beginning.

Thence leaving the Point of Beginning and along the right-of-way line of the location N. 05° 48' 12" E., 258.57 feet to a point; thence N. 30° 58' 56" E., 706.31 feet to a point in line of Sherrie B. Chisholm; thence along said property line S. 72° 45' 20" E., 102.94 feet to a point in the right-of-way of the location; thence S. 30° 58' 56" W., 708.42 feet along the right-of-way line to a point; thence S. 05° 48' 12" W., 110.24 feet along the right-of-way line to a point; thence S. 27° 08' 15" W., 42.54 feet along said property line of Morette J. Haston to a 16" maple, said point being 34.52 feet left of the centerline of the location at survey station 8+14.32; thence S. 50° 10' 57" W., 49.36 feet along said property line to a point on the centerline of the location at survey station 8+49.6; thence continuing along said property line S. 50° 10' 57" W., 71.49 feet to the Point of Beginning and containing 2.07 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures located at survey stations 0+00.00 and 6+53.29.

#### TRACT NO. WBNTS-5

A parcel of land located in the Sixth Civil District of Van Buren County, State of Tennessee, as shown on a map entitled "Watts Bar – Nashville Transmission Line Tap to Spencer, Tenn.," drawing LW-2250, sheet P18A, R.1, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said parcel being more particularly described as follows:

Commencing at 3/4 in. open top pipe found, a common corner to Anna Marie Metcalf (Deed Book RB79, Page 730) and Cunningham Properties, LLC (Deed Book RB69, Page 135); thence along said property line N. 85° 27' 55" E., 677.20 feet to a point, and being the Point of Beginning.

Thence leaving the Point of Beginning and along the property line of Anna Marie Metcalf N. 85° 27' 55" E., 50.83 feet to a point on the centerline of the location at survey station 31+06.9; thence continuing along said line N. 85° 27' 55" E., 50.82 feet to a point; thence along the right-of-way S. 05° 48' 12" W., 426.67 feet to a point; thence continuing along the right-of-way line of the location S. 44° 10' 43" W., 1,386.72 feet to a point in the right-of-way line of the location; thence continuing along the right-of-way line of the location S. 70° 56' 17" W., 538.47 feet to a point; thence along the right-of-way line of Peaceful Lane N. 09° 22' 43" W., 50.72 feet to a point on the centerline of the location at survey station 53+82.55; thence along said road right-of-way line N. 09° 22' 43" W., 50.73 feet to a point; thence N. 70° 56' 17" E., 497.62 feet to a point; thence N. 44° 10' 43" E., 1,328.13 feet to a point; thence N. 05° 48' 12" E., 373.63 feet to the Point of Beginning and containing 5.22 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures located at survey stations 35+07.08 and 48+64.50.

Furthermore, the above-described easement rights are acquired with respect to such appurtenant right, title, and interest as the owner of the above-described land may have in Tract WBNTS-6, Van Buren County, Tennessee (Peaceful Lane), the adjoining road right-of-way shown on the map referenced above.

#### TRACT NO. WBNTS-7

A parcel of land located in the Sixth Civil District of Van Buren County, State of Tennessee, as shown on a map entitled "Watts Bar – Nashville Transmission Line Tap to Spencer, Tenn.," drawing LW-2250, sheet P18A, R.1, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said parcel being more particularly described as follows:

Commencing at 5/8 in. rebar found, a common corner to Jimmie Carol Hyman (Deed Book RB61, Page 224) and Cunningham Properties, LLC (Deed Book RB69, Page 135); thence along said property line thence N. 85° 11' 45" W., 47.31 feet to a point in the right-of-way line of the location, the said point the Point of Beginning.

Thence leaving the Point of Beginning and along the property line of Jimmie Carol Hyman N. 85° 11' 45" W., 123.58 feet to a point on the centerline of the location at survey station 56+07.1; thence continue along said property line N. 85° 11' 45" W., 13.64 feet to a painted stone 5.52 feet right of the centerline of the location at survey station 56+19.56; thence along the property line of Jimmie Carol Hyman S. 03° 45' 04" W., 5.99 feet to a point on the centerline of the location at survey station 56+21.9; thence with said line S. 03° 45' 04" W., 54.24 feet to a point; thence along the right-of-way line S. 70° 56' 17" W., 272.32 feet to a point; thence along the right-of-way line S. 26° 03' 38" W., 2,284.78 feet to a point; thence along the property line of David Harrison Baker, et ux. N. 05° 40' 31" E., 143.55 feet to a point in the centerline of the location at survey station 81+06.8; thence along said line N. 05° 40' 31" E., 143.54 feet to a point; thence along the right-of-way line N. 26° 03' 38" E., 2,056.97 feet to a point in the right-of-way line of the location; thence N. 70° 56' 17" E., 510.45 feet to a point in the right-of-way line of Peaceful Lane; thence along said road right-of-way line of Peaceful Lane S. 16° 47' 38" E., 50.04 feet to a point on the centerline of the location at survey station 54+48.06; thence along said line S. 16° 47' 38" E., 50.04 feet to a point; thence along the right-of-way line of the location S. 70° 56' 17" W., 44.03 feet to the Point of Beginning and containing 6.01 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 59+35.89.

TRACT NO. WBNTS-10

A strip of land located in the Sixth Civil District of Van Buren County, State of Tennessee, as shown on a map entitled "Watts Bar – Nashville Transmission Line Tap to Spencer, Tenn.," drawing LW-2250, sheet P18A, R.1, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet each side of the centerline of the transmission line location, the centerline of the location and the end properties of the strip being more particularly described as follows:

Commencing at a painted stone found, a common corner of David Harrison Baker, et ux. (Deed Book RB54, Page 40), and Cunningham Properties, LLC (Deed Book RB69, Page 135); thence along said property line N. 87° 41' 51" W., 96.28 feet to a point on the centerline of the location at survey station 93+32.7, being the Point of Beginning.

The said strip of land being bounded on the northern end by the said property line: thence leaving the Point of Beginning and with the centerline S. 05° 52' 17" W., 311.25 feet to a point of intersection in the centerline of the location at survey station 96+43.95, having State Plane Coordinates of North: 519766.59 and East: 2133648.55; thence continuing along the centerline of the location S. 37° 53' 45" W., 1,279.85 feet to a point in the line of Cunningham Properties, LLC, and Van Buren County Board of Education (Deed Book DBZ, Page 282), at survey station 109+23.8, the said strip being bounded on the southern end by said property line, the ends of said strip are shortened or extended to said property line which bears S. 87° 39' 55" E.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 1,591.1 feet and contains 3.65 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 96+43.95.

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title.

SO ORDERED this 19th day of August, 2016.

/s/ Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE

We hereby approve and consent  
to the entry of this Judgment:

s/Elizabeth A. Birdwell  
Elizabeth A. Birdwell (TN BPR 026648)  
James S. Chase (TN BPR 020578)  
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