# THE OFFICER LAW OFFICE

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June 18, 2018

Tays Realty & Auction, LLC 620 Maxwell St. Cookeville, TN 38501

## ATTENTION CAMERON NIXON

Re:

Attorney's Opinion of Title

Record Title: Joyce Dodson Windle

Dear Mr. Nixon:

This will certify that the Overton County records have been examined regarding the title to the lands described in the attached Exhibit A. This title examination covers a minimum of 25 years, and ends on the date of this correspondence at 8:20 a.m.

Based upon this examination, it is my opinion that the status of title is as follows:

#### OWNERSHIP:

Tracts 1 and 2:

Joyce Dodson Windle by Quit Claim Deed from Julie E. Officer, dated November 18, 2016 and recorded January 6, 2017 @ 3:51 p.m. in Record Book 171, Page 396, Register's Office, Overton County, Tennessee. (Being Tracts No. 1 and 3 in said deed.)

Tract 3:

Joyce Dodson Windle by Quit Claim Deed from Joyce Windle, Individually, and as Executrix of the Estate of Jack Windle, deceased, as authorized by his Last Will and Testament, of record in Will Book M, Page 330, in the office of the Clerk and Master of Overton County, Tennessee, Probate Division, dated December 27, 2012 and recorded December 27, 2012 @ 2:11 p.m. in Record Book 115, Page 736, Register's Office, Overton County, Tennessee. (Being Tract No. 5 in said deed.)

#### TAXES:

Subject to Overton County property taxes for the year 2018, which are neither due nor payable at this time, and the years thereafter. Taxes paid for 2017 were in the amounts as follows:

Tays Realty & Auction, LLC Page 2 June 18, 2018

Tax Map 46, Parcel 4.00—\$2,864.46 paid.

Tax Map 46, Parcel 4.09—\$203.06 paid.

Tax Map 46, Parcel 4.06—\$397.13 paid.

The property is identified as shown above.

## MORTGAGES, DEEDS OF TRUST, VENDOR LIENS, ETC:

None of record during the period of this examination which remain outstanding.

#### **OIL, GAS OR MINERAL LEASES:**

Oil and Gas Lease from Jack Windle et ux Joyce Windle to Homco, Ltd., for a primary term of ninety (90) days, dated August 9, 1988 and recorded September 15, 1988 @ 10:50 a.m. in Lease Book 42, Page 176, Register's Office, Overton County, Tennessee.

## RESTRICTIVE COVENANTS, LIFE ESTATES, TAX LIENS, MATERIAL LIENS, ETC.:

None of record during the period of this examination.

#### **MISCELLANEOUS:**

Greenbelt Assessment of record in Miscellaneous Book 6, Page 470, Register's Office, Overton County, Tennessee.

Greenbelt Assessment dated March 28, 2013 and recorded April 2, 2013 @ 2:16 p.m. in Record Book 119, Page 387, Register's Office, Overton County, Tennessee.

Easement to Upper Cumberland Electric Membership Corporation, dated November 8, 2010 and recorded November 18, 2010 @ 8:29 a.m. in Record Book 87, Page 580, Register's Office, Overton County, Tennessee.

Plat of record in Plat Cabinet B, Slide 115D, Register's Office, Overton County, Tennessee.

Grant of Transmission Line Easement to the United States of America, dated December 4, 2008 and recorded December 4, 2008 @ 9:24 a.m. in Record Book 59, Page 636, Register's Office, Overton County, Tennessee.

This title opinion does not make any representation with regard to (a) any parties in possession; (b) deficiencies in quantities of land; (c) boundary line disputes and location of improvements; (d) roadway; (e) unrecorded easements; (f) unrecorded liens including liens for labor performed and materials furnished within the statutory period; (g) accuracy of the indexing in the Register's Office

Tays Realty & Auction, LLC Page 3 June 18, 2018

of the county in which the property lies; (h) matters not of record in the Register's Office of said county which would be disclosed by an accurate survey or inspection of the property; (I) any undisclosed heirs; (j) any fraud or forgery in connection with any of the instruments in the chain of title: (k) mental incompetence; (l) confusion with regard to the name or proper identity of parties: (m) improprieties with regard to delivery of deeds; (n) marital rights (spouse or former spouse of past owner not revealed in instruments; (o) instruments executed by minors; (p) lack of requisite capacity or approval of any corporation, partnership, trust or other entity; (q) lack of authority of any person executing an instrument on behalf of a corporation, partnership, trust or other entity or as an attorney-in-fact or representative for another person; (r) governmental building and zoning laws and regulations; (s) any threatened or pending lawsuits or other actions, unless notice thereof has been recorded in the Register's Office of said county; (t) any environmental law or protection matters or problems, unless recorded in the Register's Office of said county, or (u) any matter or claim arising by reason of the operation of any bankruptcy, insolvency, receivership, or similar creditors' rights laws. These are matters which would not be revealed by an examination of the records in the Register's Office of the county in which the subject real property is located, and therefore matters which we have not examined and make no representation.

This opinion of title is for the exclusive use and benefit of the addressee.

Respectfully Submitted,

Julie E. Officer, Attorney

JEO/lb

cc: Tom Windle

### EXHIBIT A

LYING AND BEING in the 6<sup>th</sup> Civil District of Overton County, and being more particularly described as follows:

### Tract #1:

Parcel No. 1:

Beginning at a point in a fence in the northern margin of Linder Mountain Road (being a 40' wide public right-of-way) being the southeast corner of this described property and being located N 40°36'20" W a distance of 24.54' from the point of intersection of the centerlines of Linder Mountain Road and Linder Lane; thence going with the Linder Mountain Road right-of-way S 81°55'13" W a distance of 62.82'; thence N 89°10'53" W a distance of 69.14'; thence N 82°51'44" W a distance of 86.08'; thence N 75°49'36" W a distance of 83.34'; thence N 69°23'02" W a distance of 300.60' to a point in a fence being the southwest corner of this described property; thence leaving Linder Mountain Road and going with a fence severing the parent property N 45°48'26" E a distance of 444.63' to a 6" wood fence post (old); thence N 24°20'12" E a distance of 304.12' to a 6" wood fence post (old) being the northwest corner of this described property; thence continuing with the fence severing the parent property S 69°58'24" E a distance of 243.04' to a 6" wood fence post (old) being the northeast corner of this described property; thence continuing with the fence severing the parent property S 01°18'04" E a distance of 134.79' to a 6" wood fence post (old); thence S 54°01'13" W a distance of 123.53' to a 6" wood fence post (old); thence S 12°49'32" W a distance of 226.14' to a 6" wood fence post (old); thence S 14°37'52" E a distance of 211.96' to the point of beginning, having an area of 5.53 acres, more or less, as surveyed by Brian McMeans R.L.S. #2645 of Global Surveying, LLC on September 28, 2016.

Tax Map 46 Parcel 4.00

## Tract #2:

Parcel No. 3

Beginning at a 6" wood fence post (old) in the northern margin of Linder Mountain Road (being a 40' wide public right-of-way) being the southeast corner of this described property and being located N 61°41'19" E a distance of 761.66' from the point of intersection of the centerlines of Linder Mountain Road and Linder Lane; thence going with the Linder Mountain Road right-of-way S 79°14'01" W a distance of 101.63'; thence S 69°02'06" W a distance of 108.51'; thence S 59°26'23" W a distance of 265.94'; thence S 56°57'06" W a distance of 232.97'; thence S 68°07'14" W a distance of 54.12'; thence S 81°55'13" W a distance of 11.14' to a point in a fence; thence leaving Linder Mountain Road and severing the parent property along a fence N 14°37'52" W a distance of 211.96' to a 6" wood fence post (old); thence N 12°49'32" E a distance of 226.14' to a 6" wood fence post (old); thence N 54°01'13" E a distance of 123.53' to a 6" wood fence post (old); thence N 01°18'04" W a distance of 134.79' to a 6" wood fence post (old); thence N 69°58'24" W a distance of 243.04' to a 6" wood fence post (old); thence S 24°20'12" W a distance of 304.12' to a 6" wood fence post (old); thence S 45°48'26" W a distance of 444.63' to a point in a fence in the northern margin of Linder Mountain Road; thence going with the Linder Mountain Road right-of-way N 69°23'02" W a distance of 79.16'; thence N 72°14'33" W a distance of 346.04' to a 6" wood fence post (old) being the southwest corner of this described property; thence leaving Linder Mountain Road and severing the parent property along a fence N 15°43'08" E a distance of 661.62' to a steel fence post (old) being the northwest corner of this described property; thence leaving the fence and going N 79°57'32" E a distance of 829.14' to a ½" iron rod (new); thence S 77°08'57" E a distance of 654.16' to a ½" iron rod (new) being the northeast corner of this described property; thence S 03°40'48" E a distance of 557.80' to the point of beginning, having an area of 24.48 acres, more or less, as surveyed by Brian McMeans R.L.S. #2645 of Global Surveying, LLC on September 28, 2016.

## Tax Map 46, Parcel 4.09

The previous and last conveyance of Tracts #1 and #2 being identified as Parcel Nos. 1 and 3 of the Quit Claim Deed from Julie E. Officer to Joyce Dodson Windle, of record in Record Book 171, Page 396, Register's Office, Overton County, Tennessee.

#### Tract #3:

The following is a description of a portion of the Joyce Dodson Windle property boundary located on Linder Mountain Road in the 6<sup>th</sup> Civil District of Overton County, Tennessee. (Reference Tax Control Map 046 Parcel 004.06 and Record Book 115 Page 736)

### PARCEL #1

Beginning at the point of intersection of the southern margin of Linder Mountain Road (being a 40' right-of-way) and the eastern margin of MJ Robbins Lane (being a 30' right-of-way) and being the western most corner of this described property boundary; thence leaving MJ Robbins Lane and going with the Linder Mountain Road right-of-way N 63°17'33" E a distance of 182.71'; thence N 63°20'34" E a distance of 111.94'; thence N 67°49'45" E a distance of 211.48'; thence N 53°22'18" E a distance of 136.89'; thence N 43°39'46" E a distance of 169.26'; thence N 40°35'03" E a distance of 131.72'; thence N 30°31'24" E a distance of 67.72'; thence N 26°38'00" E a distance of 41.94'; thence N 19°25'34" E a distance of 52.94'; thence N 12°20'38" E a distance of 142.44'; thence N 10°14'18" E a distance of 148.90'; thence N 17°48'32" E a distance of 51.26' to a 14" hickory at a fence corner being the most northern corner of this described property boundary; thence leaving Linder Mountain Road and severing the parent property along a fence line near a tree line S 34°03'35" E a distance of 572.90' to a wood fence post (old); thence S 09°52'48" W a distance of 409.13' to a wood fence post (old); thence S 19°15'57" E a distance of 269.84' to a wood fence post (old); thence S 68°09'13" E a distance of 182.04' to a wood fence post (old); thence S 53°59'44" E a distance of 224.68' to a wood fence post (old); thence S 05°06'30" E a distance of 276.14' to a 1/2" iron rod (old) being the most eastern corner of this described property boundary, a corner of Leslie H. King Jr. (Deed Book 278 Page 82), and a corner of Mary Alice Robbins (Record Book 37 Page 244); thence leaving King and going with the Robbins property and near a fence S 56°16'46" W a distance of 843.55' to a stone (old); thence N 86°25'51" W a distance of 367.74' to a 1/2" iron rod (old) in the eastern margin of MJ Robbins Lane being the southwest corner of this described property boundary and the northwest corner of Robbins; thence leaving Robbins and going with the MJ Robbins Lane right-of-way N 33°15'06" W a distance of 70.01'; thence N 30°57'45" W a distance of 69.55'; thence N 25°05'37" W a distance of 120.51'; thence N 22°02'09" W a distance of 173.14'; thence N 23°37'22" W a distance of 148.42'; thence N 21°42'39" W a distance of 61.20'; thence N 18°42'13" W a distance of 61.86'; thence N 17°11'47" W a distance of 164.37'; thence N 25°43'59" W a distance of 67.60'; thence N 41°29'46" W a distance of 62.93'; thence N 45°14'32" W a distance of 118.33'; thence N 43°39'47" W a distance of 94.74' to the point of beginning, having an area of 37.73 acres, more or less, as surveyed by Brian McMeans R.L.S. #2645 of Global Surveying, LLC on May 4, 2018.

This survey is subject to any and all right-of-ways, easements, exceptions, setbacks, and/or restrictions, recorded and unrecorded, which may affect this property.

This survey was completed using the latest recorded property deeds at the date of this survey.

This survey does not represent a title search or a guarantee of title and was completed without the benefit of an abstract of title.

Portion of Map 46, Parcel 4.06.

The following is a description of a portion of the Joyce Dodson Windle property boundary located on Linder Mountain Road in the 6<sup>th</sup> Civil District of Overton County, Tennessee. (Reference Tax Control Map 046 Parcel 004.06 and Record Book 115 Page 736)

### PARCEL #2

Beginning at a 14" hickory in the southeast margin of Linder Mountain Road (being a 40' right-ofway) being the most western corner of this described property boundary and being located N 43°42'53" E a distance of 1366.29' from the point of intersection of the centerlines of Linder Mountain Road and MJ Robbins Lane; thence going with the Linder Mountain Road right-of-way N 17°48'32" E a distance of 210.06'; thence N 26°40'06" E a distance of 102.27'; thence N 23°15'10" E a distance of 115.80'; thence N 19°18'43" E a distance of 283.32'; thence N 25°30'39" E a distance of 130.89'; thence N 34°20'33" E a distance of 144.33'; thence N 36°13'48" E a distance of 137.51'; thence N 30°02'45" E a distance of 92.45' to a 1/2" iron rod (new) being the northern most corner of this described property boundary and a southern corner of Tad A. and Diana L. Dickerson (Record Book 113 Page 824); thence leaving Linder Mountain Road and going with the Dickerson property near a fence S 59°51'36" E a distance of 308.97' to an X on a stone (old) being a corner of Tad A. and Diana L. Dickerson (Record Book 7 Page 662); thence leaving the fence and going with the Dickerson property down a hill to a drain S 14°03'50" E a distance of 511.31' to a 20" white oak; thence S 33°52'56" E a distance of 218.34' to a 22" hickory; thence S 50°14'51" E a distance of 296.55' to a 20" hickory; thence S 40°35'26" E a distance of 294.53' to a 10" elm; thence S 76°37'15" E a distance of 329.26' to a 18" gum; thence S 62°19'49" E a distance of 237.65' to a 30" beech; thence S 53°59'13" E a distance of 257.85' to a 14" buckeye; thence S 43°50'25" E a distance of 194.00' to a 26" sycamore being the eastern most corner of this described property boundary, a corner of Dickerson, and a corner of Dow and Sarah Williamson (Deed Book 198 Page 560 and Deed Book 98 Page 294); thence leaving Dickerson and the drain and going up a hill with the Williamson property S 58°47'12" W a distance of 692.26' to a wood fence post (old) being a corner of Williamson and a corner of Leslie H. King Jr. (Deed Book 278 Page 82); thence leaving Williamson and going with the King property and a fence S 58°38'29" W a distance of 1187.91' to a ½" iron rod (old) being a corner of King and a corner of Mary Alice Robbins (RB 37 PG 244); thence leaving King and Robbins and severing the parent property along a fence near a tree line N 05°06'30" W a distance of 276.14' to a wood fence post (old); thence N 53°59'44" W a distance of 224.68' to a wood fence post (old); thence N 68°09'13" W a distance of 182.04' to a wood fence post (old); thence N 19°15'57" W a distance of 269.84' to a wood fence post (old); thence N 09°52'48"

E a distance of 409.13' to a wood fence post (old); thence N 34°03'35" W a distance of 572.90' to the point of beginning, having an area of 65.31 acres, more or less, as surveyed by Brian McMeans R.L.S. #2645 of Global Surveying, LLC on May 4, 2018.

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The previous and last conveyance of Tract #3, Parcels #1 and #2 being identified as TRACT V of the Quit Claim Deed from Joyce Windle, Individually, and as Executrix of the Estate of Jack Windle, deceased, as authorized by his Last Will and Testament, of record in Will Book M, Page 330, in the office of the Clerk and Master of Overton County, Tennessee, Probate Division to Joyce Dodson Windle, of record in Record Book 115, Page 736, Register's Office, Overton County, Tennessee.

Portion of Map 46, Parcel 4.06.