

<u>Name and Address of Owner:</u>	<u>Map and Parcel Numbers:</u>
James L. Smith and	[
Johnny Nash	[
200 Shipley Avenue	[
Cookeville, TN 38501	[
<u>Name and Address of Persons</u>	<u>This Instrument Prepared On Information</u>
<u>Responsible for Taxes:</u>	<u>Furnished by the Parties</u>
Same as above	[ O'Mara & Johnson, P.L.L.C.
	[ Attorneys at Law
	[ 317 West Spring Street
	[ Cookeville, TN 38501
	[ (615) 526-8812
	[

# EASEMENT DEED

FOR AND IN CONSIDERATION of the sum of One and no/100 (\$1.00) Dollar, cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **ROBERT W. CUNNINGHAM and MELANIE J. CUNNINGHAM, husband and wife**, (herein called the "Grantor," whether one or more) hereby grant, transfer, convey and quitclaim unto **JAMES L. SMITH and JOHNNY NASH**, (herein called the "Grantee," whether one or more), their heirs and assigns, a perpetual and permanent easement across and upon a certain tract of land owned by Grantor in Putnam County, Tennessee, pursuant to a deed recorded at Warranty Deed Book 338, page 277, Register's Office of Putnam County, Tennessee. This easement is granted for the purpose of ingress and egress, including without limitation the right to move timber and equipment from Grantee's land across the easement, and the right to install, construct, and maintain utilities, and which easement is described as follows:

Lying and being in the Third Civil District of Putnam County, Tennessee and running generally southeastwardly from Woodcliff Road to the southeast corner of the property being more particularly described as follows:

The easement hereby granted shall be 25' wide and shall run along the "Old Woods Road" as marked on the survey attached hereto, and will be located on Putnam County Tax Map 43, Parcel 38 (R.W. & M.J. Cunningham). The "Old Woods Road" is an old logging road that has been the historical access to the property.

The previous and last conveyance and/or the Grantors' source of equitable interest for the property hereinabove described is: By a Warranty Deed from C.R. Cunningham to Robert W. Cunningham and Melanie J. Cunningham, husband and wife recorded in Warranty Deed Book 338, page 277, in the Register's Office of Putnam County, Tennessee.

Said easement is and shall be used for the use and benefit of the 71.288 acre tract shown on the survey attached hereto owned by the Grantee, pursuant to the deed from M.A.P. Lowe Family Limited Partnership recorded in Record Book 278, page 751, Register's Office of Putnam County, Tennessee, which tract adjoins the Grantor's property and shall be an easement running with the land.

Grantor shall have no responsibility nor liability for the use, maintenance, or upkeep of the easement, although Grantor shall not obstruct such easement.

IN WITNESS WHEREOF, this Easement Deed has been executed this \_\_\_\_ day of December, 2005.

Rhonda Chaffin  
ASSESSOR OF PROPERTY  
PUTNAM COUNTY  
MAP 43 GR 38.00 PAR 38.00  
COMPLETE PART OF  
Send Tax Bill To  
ABOK

GRANTOR:

ROBERT W. CUNNINGHAM

MELANIE J. CUNNINGHAM

STATE OF TENNESSEE  
COUNTY OF PUTNAM

The consideration or value of the property whichever is greater is \$0.00.

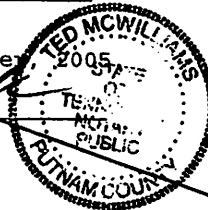
Affiant

Sworn to and subscribed before me this 05 day of December

My Commission Expires:

9/21/09

NOTARY PUBLIC



STATE OF TENNESSEE )  
COUNTY OF Putnam )

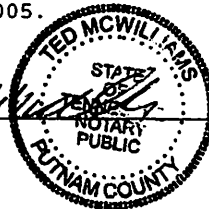
Personally appeared before me, a Notary Public in and for said county and state, Robert W. Cunningham and Melanie J. Cunningham, with whom I am personally acquainted and who acknowledged that they executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal this 05 day of December, 2005.

My Commission Expires:

9/21/09

NOTARY PUBLIC



My Commission Expires: 9/21/09

STATE OF TENNESSEE  
COUNTY OF PUTNAM

The consideration or value of the property whichever is greater is \$0.00.

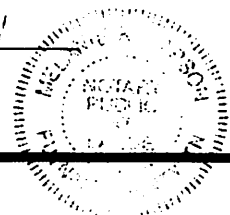
Affiant

Sworn to and subscribed before me this 14th day of December, 2005.

My Commission Expires:

5-30-08

NOTARY PUBLIC



Opal Burris, Register  
Putnam County

Rec #: 40374  
Rec'd: 10.00  
State: 0.00  
Clerk: 0.00  
EDP: 2.00  
Total: 12.00  
Instrument #: 53745  
Recorded  
12/15/2005 at 2:30 PM  
in Record Book  
278  
Pgs 754-755

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