

LAW OFFICES

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July 27, 2020

Tays Realty & Auction
620 Maxwell Street
Cookeville, TN 38501

To Whom It May Concern:

Re: 148 June Chapel Road – OVERTON COUNTY
Tax Map 105, Parcel 43.05

I hereby certify that I have examined the public records of Overton County, Tennessee, affecting the title to the property located in the First Civil District of Overton County, Tennessee, conveyed to Roy R. Mabrey and wife, Betty M. Mabrey (both now deceased), as described and recorded in the Register's Office of Overton County, Tennessee, in Record Book 16, Page 173; Record Book 17, Page 910; and Probate Case #19-PR-61, Overton County, Tennessee. This opinion covers a period of twenty years to July 27, 2020 at 8:00 a.m.

My examination of the said public records reveals the following objections:

1. Mortgages, deeds of trust, and/or purchase money lien notes:
None.
2. Taxes:
 - a. Subject to the 2020 County taxes, a lien not yet due and payable.
 - b. The 2019 County taxes in the amount of \$408.94, plus penalty and interest, are now past due and payable.
 - c. If improvements are completed after January 1 of any year, the law requires supplemental assessment for the year in which improvements are completed as defined by Statute. David W. Ledbetter, Attorney at Law, assumes no liability for taxes assessed by correction pursuant to the provisions of T.C.A., Section 67-5-603, et seq.

3. Other objections:
 - a. The estate of Roy Roger Mabrey has not been closed possibly giving rise to claim by the Bureau of Tenn Care.
 - b. Debbie M. Taylor, Roger Allen Mabrey, Linda S. Fox, Teresa Beth Randolph, and Cheryl Lynn Hooten must sign any conveyance of subject property.
 - c. Subject to all matters on the survey by Whittenburg Land Surveying dated November 19, 2019.

This title report does not make any representation with regard to (a) any parties in possession; (b) deficiencies in quantities of land; (c) boundary line disputes; (d) roadways; (e) any unrecorded easements; (f) improper subdivision or re-subdivision of subject property, or failure to comply with applicable governmental planning regulations or statutes; (g) any unrecorded liens; (h) accuracy of the index books of the Register's, Trustee's and Clerk and Master's offices of said County; (i) any matter not of public record which would be disclosed by an accurate survey or inspection of the premises; (j) any undisclosed heirs; (k) any fraud or forgery in connection with any of the instruments in the chain of title; (l) mental incompetence; (m) confusion with regard to the name or proper identity of parties; (n) improprieties with regard to delivery of deed; (o) marital rights (spouse or former spouse of past owners not revealed in the instrument); (p) any instrument executed by a minor; (q) lack of corporate capacity in the event a corporation is in the chain of title; (r) any facts that would be revealed by an examination of the records of State Courts, Federal District Court, and Federal Bankruptcy Court; (s) any questions of security interests or liens under the Uniform Commercial Code; (t) any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting and regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvements now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.

These items listed under the immediately preceding paragraphs are matters which would not be revealed by an examination of the records of the Register's, Trustee's and Clerk and Master's Offices of said County, and, therefore, matters in which we have no means of securing the necessary information. The matters under (a), (b), (c), (d) and (e) could be protected against by an accurate survey by a qualified licensed surveyor. Item (f) improper subdivision or re-subdivision of subject property could be protected against by requiring a qualified licensed surveyor to properly subdivide or re-subdivide subject property and obtain necessary approvals in accordance with any applicable governmental planning regulations and statutes. Item (g) unrecorded liens, could be guarded against by an inspection of the premises for new improvements, and if such appear to have been present, the utilization of the notice of completion and waiting ten (10) days to close as per T.C.A. Section 66-11-143, et seq. The matters under (h) through (s) may be insured against by the utilization of title insurance, and should you desire more information in that regard we would be pleased to discuss same with you.

Tays Realty & Auction
RE: 148 June Chapel Road – OVERTON COUNTY
July 27, 2020
Page 3

This title report does not certify the existence of any mineral rights or mineral interests for minerals of any kind, whether surface or subsurface, or for any rights, privileges, or immunities relating thereto. The undersigned makes no representation as to present ownership of any such rights or interests. There may be leases, grants, exceptions or reservations of rights or interests not disclosed hereby.

This title opinion is issued for the sole use and benefit of *Tays Realty & Auction*, and the undersigned shall not be responsible to any other party relying on it.



DAVID W. LEDBETTER, ATTORNEY AT LAW

BOUNDARY DESCRIPTION

Roy R. & Betty M. Mabrey Property
148 June Chapel Road
Cookeville, Tennessee
1st Civil District, Overton County, Tennessee

Being a certain tract or parcel of land lying and being in the 1st Civil District of Overton County, Tennessee and being more particularly described as follows:

Beginning at a 1/2" Iron Pipe (Old), said Iron Pipe being located in the southern right-of-way of June Chapel Road (36' right-of-way), being the northwest corner of David Ernest Ledbetter (RB.119/P.440), and being the northeast corner of the herein described tract;

Thence, leaving the southern right-of-way of said June Chapel Road and with the western line of said Ledbetter, S 10°48'49" W, 684.13' to a 1/2" Rebar (Old), said Rebar being located in the northern line of Georgena S. Smith, LE (RB.174/P.82), and being the southeast corner of the herein described tract;

Thence, leaving the western line of said Ledbetter and with the northern line of said Smith, N 81°03'52" W, 99.96' to a Concrete Monument (Old), said Concrete Monument being the southeast corner of Travis D. Shirley (RB.172/P.796), and being the southwest corner of the herein described tract;

Thence, leaving the northern line of said Smith and with the eastern line of said Shirley, N 05°58'09" W, 693.64' to a 1/2" Rebar (New), said Rebar being located in the southern right-of-way of said June Chapel Road, and being the northwest corner of the herein described tract;

Thence, leaving the eastern line of said Shirley and with the southern right-of-way of said June Chapel Road, S 83°37'32" E, 301.09' to the point of beginning, containing **3.13 Acres by Survey**. Actual field survey performed under the direct personal supervision of Taylor L. Dillehay, R.L.S. # 2597, Whittenburg Land Surveying, LLC, 214 East Stevens Street, Cookeville, Tennessee on November 19, 2019.

Being the same property as conveyed to Roy R. & Betty M. Mabrey in Record Book 17 Page 910 of the Overton County Register's Office, Livingston, Tennessee, which is the previous and last conveyance.

This property is subject to any easements, right-of-ways, restrictions, and etc. that a current title search would reveal.

I do hereby certify this survey to be accurate and correct to the best of my knowledge and belief and I do hereby certify that it meets or exceeds the requirements for surveying as set forth by the governing authorities.

WHITTENBURG LAND SURVEYING, LLC

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