

ATTORNEY'S OPINION OF TITLE

TO

REAL ESTATE

I hereby certify to TAYS REALTY AND AUCTION, LLC, and no one else, that the title to the premises described in Schedule "A" hereof has been examined by the undersigned, and that a good title thereto in fee simple, clear of all encumbrances and defects, except as listed in Schedule "B" is on the date hereof vested in JILL V. CUNNINGHAM.

SCHEDULE "A"

Located in the 7th Civil District of Warren County, Tennessee, and more particularly described as follows:

SEE DESCRIPTION ATTACHED AS EXHIBIT A HERETO

Being a PORTION of the same property conveyed to Jill V. Cunningham, by Special Warranty Deed for Partition by Tenants in Common from Jill V. Cunningham, Crystal Jill Gateley, Robert W. Cunningham and Danny Cunningham, Carmen Cunningham and Jasmine Cunningham being heirs of C.R. Cunningham, deceased, of record in Record Book 390, Page 1, in the Register's Office of Warren County, Tennessee, dated October 23, 2014 and recorded on July 19, 2016. Also recorded in Record Book 1075, Page 747 in Grundy County, Tennessee.

SCHEDULE "B"

1. TAXES:

Address: Northcutt Cove W of Rd, McMinnville, TN
Control Map 132; Group __; Parcel 001.00

2024 Warren County Property taxes in the amount of \$413.00 are paid.

2025 Warren County Property taxes are not yet due and payable but constitute a lien on the subject property.

Note: The property described on Schedule A is not assessed for city taxes.

Greenbelt Application recorded in Greenbelt Book 6, Page 757 in the Register's Office of Warren County, Tennessee.

2. EASEMENTS:

Easement for Right of Way, recorded in Warranty Deed Book 179, Page 789.

Easement for the flow of the waters of Town Creek, and the rights of the public therein.

3. RESTRICTIONS: None of record.

4. LIENS: None of record.

5. LEASES: None of record.

6. DEEDS OF TRUST OR MORTGAGES:

We find no outstanding voluntary liens of record affecting subject property. Disclosure should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any possible security interest in the subject property.

7. OTHER:

A survey is recommended due to closure error for Tracts 3 & 5 and Description is vague for Tracts 1 & 2.

Rights of upper and lower riparian owners to the flow of the waters of the creek, free from diminution or pollution.

Rights of the public to use any part to the land to that portion of the land lying below the ordinary low water mark of the creek.

No coverage is provided as to the amount of acreage or square footage of the land.

THIS OPINION TO VALIDITY OF TITLE IN THE ABOVE OWNERS IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. UNRECORDED, CONTRACTOR, MECHANIC, LABORER, FOUNDER, MACHINIST, MATERIALMAN OR FEDERAL AND STATE TAX LIENS OR LIENS OF TENANTS IN POSSESSION.
2. ANY QUESTION OF SECURITY INTERESTS OR LIENS UNDER THE UNIFORM COMMERCIAL CODE.
3. FEDERAL OR STATE COURT RECORDS AFFECTING TITLE.
4. SUCH STATE OF FACTS AS AN ACCURATE SURVEY OR VISIBLE INSPECTION OF THE PROPERTY WOULD DISCLOSE.
5. DEFICIENCIES OR DEFECTS IN THE METES AND BOUNDS DESCRIPTION OR SURVEY DESCRIPTION.
6. THE RIGHTS OF PARTIES IN POSSESSION, ENCROACHMENTS, OVERLAPS, OVERHANGS, UNRECORDED EASEMENTS, VIOLATED RESTRICTIONS AND BOUNDARY LINE DISPUTES.
7. ALL VISIBLE EASEMENTS, AND THE RIGHTS OF THE PUBLIC IN AND OVER ALL PUBLIC ROADS RUNNING THROUGH SAID LAND.
8. ANY ERROR OF IMPROPER INDEXING BY THE REGISTER'S OFFICE, TRUSTEE'S OFFICE OR CLERK AND MASTER'S OFFICE OF SAID COUNTY.
9. THAT THE LAST NAMES OF ANY OWNERS IN THE CHAIN OF TITLE WERE NOT CHANGED DURING THEIR PERIOD OF OWNERSHIP.
10. ANY UNDISCLOSED HEIRS.
11. ANY FRAUD OR FORGERY IN CONNECTION WITH ANY OF THE INSTRUMENTS IN THE CHAIN OF TITLE.
12. MENTAL INCOMPETENCE OR MINORITY OF PERSONS IN THE CHAIN OF TITLE.
13. LACK OF CORPORATE CAPACITY IN THE EVENT A CORPORATION IS IN THE CHAIN OF TITLE.
14. LACK OF AUTHORITY OF AN AGENT TO EXECUTE ANY DOCUMENT FOR AND ON BEHALF OF HIS OR HER PRINCIPAL.
15. SUCH STATE OF FACTS AS MAY BE DISCLOSED BY THE DOCUMENTS OR

ACTIVITIES IN ANY COURT OF RECORD.

16. THIS TITLE OPINION IS WRITTEN FOR THE BENEFIT OF TAYS REALTY AND AUCTION, LLC. NO ONE ELSE MAY RELY UPON IT OR HOLD THE UNDERSIGNED ATTORNEY LIABLE.

This certificate is based upon examination of all record evidence of title in the county in which the real estate is situated for a period of thirty (30) years and is limited in opinion to that period of time.

IN TESTIMONY WHEREOF, I hereby certify, this 7th day of February, 2025 at 8:00 a.m.

By:

A handwritten signature in black ink, appearing to read 'W. Birdwell', written over a horizontal line.

William D. Birdwell, Esq.
457 East Broad Street
Cookeville, Tennessee 38501

EXHIBIT A

The Land referred to herein below is situated in the County of Warren, State of Tennessee, and is described as follows:

Lying and being in the 7th Civil District of Warren County, Tennessee and more fully described as follows:

Tract No. 1 - Bounded on the North by Hughes, Biglow and the Woodlee heirs; on the South by William Argo; on the East by H. B. Smartt and Wiley Smartt; and on the West by John Argo and J. I. Milstead.

Tract No. 2 - One-half of the 131 acre tract described in the partition deed between R. G. Hutchins, Sr. and J. P. Hughes.

Tract No. 3 - Beginning on a rock in the line of the Hutchins 97 acre tract, thence South 71 deg. East 44 poles to a rock in the line between W. L. Tanner and Jack Farrow, now J. C. Milstead; thence North 21 deg. East with the line of Wiley Smartt 20 poles to a chestnut in the South boundary line of the Hutchins 97 acre tract.

Tract No. 4 - Beginning at an iron pin, same being the Southeastern most corner of the tract herein conveyed, thence North 12° East 313.5 feet to an iron pin; thence North 75° West 400.75 feet to a point; thence North 88° 6 mm. West 502 feet to an iron pin; thence South 5° East 352.8 feet to a 24 inch walnut at the Southwesternmost corner of the tract herein conveyed and at Burroughs, Ross, Colville Company's East boundary; thence South 76° 15 min. East 654 feet to an iron pin; thence North 65° East 198 feet to the place of beginning.

Tract No. 5 - Beginning on a chestnut oak, the same being the beginning corner of a 100 acre tract conveyed by W. Stone to J. H. Tailman; thence running South 45 deg. East 140 poles to a small black oak, standing near the East bank of the Powder Mill hollow; it being the Southwest corner of the land of Lucinda Nunley; thence North 102 poles with Lucinda Nunleys line to 3 sugar trees; thence North 61 deg. West with James Woodlee line 84 poles and on in all 100 poles to a stake, in the East boundary line of the Smith land on which the said John H. Smith and wife, lived on May 18, 1896; thence Southeastwardly with E. H. Smiths line to the beginning, containing 40 acres more or less.

Tract No. 6 - Beginning at a white oak near a pair of draw bars, now where Nathan Crouch now lives, it is said line between Warren and Grundy Counties, and running South 75 deg. East 97 poles to a white oak; thence down the mountain North 37 deg. East 30 poles to a Lynn; thence West 5 deg. 52 poles to Pearson fence; in all 72 poles to a stake in the big bottom; thence North 63 deg. West 80 poles W. W. at or near fence; thence South 20 deg. West 54 poles to a dogwood pointer, Fults corner; thence South 70 deg. West 64 poles to pointers on said Fults line; thence South 6-1/2 deg. West 21 poles to a stake in said road, at fence; thence South 78 deg. East 40 poles to stake in field at cross fence; thence North 66 deg. East 12 poles to the beginning, containing 79 acres more or less.

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