

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 7<sup>th</sup> Civil District of Warren County, Tennessee, and more particularly described as follows:

SEE DESCRIPTION ATTACHED AS EXHIBIT A HERETO

Being a PORTION of the 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.

## SCHEDULE "B"

1. TAXES:

Address: Northcutt Cove W of Rd, McMinnville, TN  
Control Map 131; Group \_\_; Parcel 001.00

2024 Warren County Property taxes in the amount of \$576.00 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 758 in the Register's Office of Warren County, Tennessee.

2. EASEMENTS:

Easement for Right of Way, recorded in Warranty Deed Book 260, Page 413 and ` Warranty Deed Book 260, Page 415.

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:

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

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

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

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 6th 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:

7th Civil District of Warren County, Tennessee and further described as follows;

Beginning on a rock, formerly a sugar tree, being the corner of Davd Argo's entry, thence running South 18 deg West 20 poles to a dogwood; thence South 26 deg West 46 poles to a large ash, now down; thence South 65 deg West 66 poles to a poplar; thence 88 deg West 152 poles to a stake near Hutchinsmill site; thence South 10 deg West 2 poles to a sand stone; thence South 79.5 deg West 110 poles to a dogwood at hollow; thence North 70 deg West 22 poles to an elm; thence North 45 deg West 40 poles to a sugar tree; thence North 78 deg West 34 poles to a pin oak; thence South 72.5 deg West 20 poles to a dogwood; thence South 62 deg West 34 poles to a gum; thence South 52 deg West 34 poles to a sycamore; thence South 56 deg West 28 poles to a sugar tree corner; thence North 40.5 deg East 310 poles to a stake; thence South 43 deg East 27.5 poles to a chestnut; thence South 14 deg East 80 poles to a chestnut oak; thence South 85 deg East 340 poles to the beginning and containing 310 acres more or less.

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.