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ATTORNEY'S PRELIMINARY REPORT ON TITLE

TO: **TAYS REALTY & AUCTION, LLC**

RE: **JOE ELLER and COLLEEN ELLER**

Based upon a personal examination of the public records for a period of thirty (30) years preceding the date of this certificate affecting the title to the real estate described on Exhibit "A" attached to this Attorney's Preliminary Report on title, the undersigned certifies to the above-named addressee that marketable fee simple title to the real property described on Exhibit "A" is vested in **Joe Eller and wife, Colleen Eller**, by virtue of the instrument referenced in Exhibit "A" and subject to the matters appearing on Exhibit "B" and the following matters:

1. The lien of Cumberland County real property taxes for the year 2023, now due and payable and subsequent years for Map 113-L, Group D, Parcel 13.00 in the amount of \$312.00 on Receipt #16136. 2022 taxes are past due and delinquent in the amount of \$345.00 (if paid in September) on Receipt #16228.
2. The lien of City of Crossville real property taxes for the year 2023, now due and payable and subsequent years for Map 113-L, Group D, Parcel 13.00 in the amount of \$166.77 on Receipt #2073. 2022 taxes are past due and delinquent in the amount of \$191.79 (if paid in September) on Receipt #2085.
3. No liens or Trust Deeds found, please verify with the Sellers.
4. Sewer Line Easement to the City of Crossville of record at Book 1003, page 495, Register's Office, Cumberland County, Tennessee.
5. Easements, set-back lines and all other matters appearing on the Plat of record at Plat Book 11, page 266, Register's Office, Cumberland County, Tennessee.

This Certificate is dated as of the 15th day of September, 2023 at 8:00 A.M.

LOONEY, LOONEY & CHADWELL, PLLC

BY: 

Kenneth M. Chadwell, Attorney

EXHIBIT "A"

Lying and being in the FIRST CIVIL DISTRICT of Cumberland County, Tennessee, more particularly described as follows:

Being that certain tract or parcel consisting of 3.96 acres as appears on the Plat entitled "Josh Wyatt", a plat of which appears at Plat Book 11, page 266, Register's Office, Cumberland County, Tennessee.

Being a portion of the same property acquired by Joe Eller and wife, Colleen Eller, by virtue of a deed dated April 6, 2000, from Roy C. Eller and wife, Cleda Eller and Joe Eller and wife, Colleen Eller, of record at Book 1052, page 696, Register's Office, Cumberland County, Tennessee.

This conveyance is made subject to such easements, set-back lines and other matters shown on the plat of Josh Wyatt of record at Plat Book 11, page 266, Register's Office, Cumberland County, Tennessee.

EXHIBIT "B"

(Additional Exceptions)

1. Any lien or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
2. The rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, violated restrictions, boundary line disputes, or any matter not of record which would be disclosed by an accurate and certified transit survey and/or visual inspection of the premises. This certificate will not insure the acreage or area contained in a given tract nor the accuracy of location of boundary lines, nor the location or contiguity of the interior lines of any parcels making up such premises.
3. Easements, or claims of easements, not shown by the public records.
4. The rights of upper and lower riparian owners. The potential riparian rights, if any, are neither guaranteed nor certified.
5. Any instrument in the chain of title being a forgery or having been procured by fraud.
6. Any impropriety in the delivery of any deed in the chain of title.
7. The incompetence or minority of any person executing any instrument in the chain of title.
8. Lack of corporate capacity or the proper corporate authorization for the execution of any instrument in the chain of title executed by a corporation.
9. Any claim or ownership interest of undisclosed heirs and the omission by any such heirs of the execution of any instrument in the chain of title.
10. The effect of any laws, ordinances, governmental regulations, the power of eminent domain, or governmental exercise of the police power, that may affect the subject property.
11. Marital rights of any undisclosed spouse of any grantor executing instruments in the chain of title who did not join in the conveyance of the subject property.
12. Any federal litigation or bankruptcy proceedings affecting title to the subject property for which there is nothing of record in the Register's Office of the County where the land lies to indicate the pendency and/or status of such litigation or proceedings.
13. Subject to the proper indexing of all instruments in the chain of title in the Register's Office of the County where the land lies.
14. Any potential rollback taxes which may be imposed pursuant to the Agricultural, Forest and Open Space Land Act of 1976, codified at Tennessee Code Annotated §67-5-101, et seq.
15. All oil, gas, or other minerals that are, or may be, claimed by others.
16. Such state of facts and/or circumstances as may be known to the addressees of this Report on Title and their privies for whom this opinion is prepared which may be contrary to or inconsistent with the findings herein expressed, which facts and/or circumstances have not been made known to the undersigned.
17. The effects of the Subdivision Regulations of the Cumberland County Regional Planning Commission and Regional and Municipal Planning Statutes codified in Chapters 3 and 4 of Title 13 of the Tennessee Code Annotated, and any amendments thereto, upon or with regard to the subject real property, including, but not limited to, any loss, damages or claims arising from failure to comply to said regulations and statutes or failure to obtain authorization under said regulations and statutes for the subdivision of the real property or the division of the subject real property from a larger tract of property.