

TO: Hon. Susan Martin  
Circuit Court Clerk  
1 Public Square  
Room 201  
Smithville, Tennessee 37166

RE: Civil Action No. 2023-CV-21  
Pack et. al. vs. Mears, et. al.  
Title Opinion

Dear Ms. Martin:

The undersigned attorney has examined the title to the real estate described hereinbelow from the public records of DeKalb County, Tennessee back for a period of more than thirty (30) years, up to July 16, 2024, which shall be deemed the date of this certificate.

From the examination of the public records for the real property described hereinbelow, it is the opinion of the undersigned that fee simple title to the subject real property described in Schedule A is, as of said date, vested in **Florence Mabel Pack, Pamela Pack (Taylor), Willard Lee Pack, Rebecca V. Mears, and Robin E. Pack** and said property is free and clear of all encumbrances, except the Deed of Trust identified below in the "Chain of Title" section hereinafter noted.

#### **SCHEDULE A**

Said property is described as follows:

Certain lands situated in DeKalb County, Tennessee, described as follows:

*beginning on a stone in the edge of the Dry Creek and Smithville Road, being the northeast corner of the 60 acre tract of land owned by Otis Braswell. and running south 8 degrees east with Braswell line 123 poles to a stone thence south 88 degrees east parrallel with the Young line being one pole north of my line 12.8 poles to a stone thence north 8 degrees west 127.4 poles to a stone at the edge of the Dry Creek and Smithville road thence with said road south 74 deg west 12.7 poles to the beginning containing 9.85 acres and being the same conveyed to me by R.S. Young Sr. deed to which is of record in book V-2 page 200 registes office DeKalb County, Tenn.*

Deed Book - B3, Page 83-84, Register's Office DeKalb County, Tennessee.

Included in the above-description but excluded by prior deed is the following land conveyed from Florence M.Pack, Willard Lee Pack, Rebecca Mears, and Robin

Pack to Pamela Pack Taylor the following land situated in the old 9th civil district of DeKalb County, Tennessee and described as follows:

*Commencing at a stake in the northern edge of the road, it being the Southwest corner of the land herein conveyed, also being the Southeast corner of the Creston Bain property, and running thence in a Northward direction with the Bain line for 100 feet to a stake; thence running in an Eastward direction for 100 feet to a stake; thence running in a Southward direction for 100 feet to a stake at the edge of the road; thence running in a Westward direction with the edge of said road for 100 feet to the beginning corner, and being a portion of the same property conveyed to Florence M. Pack, et. als. By deed of record in Deed Book B-3, page 83 of the R/O/O/D/C/T.*

Deed Book K-5, Page 477, 488

#### CHAIN OF TITLE

1. Richard S. Young to John Lee Pack under date of September 27, 1946, of record in Deed Book V-2, Page 200.
2. John Lee Pack to Florence M. Pack, Pamela Pack, Willard Lee Pack and “any other children born to us in lawful wedlock” under date of June 1, 1950, of record in Deed Book B-3, Page 83.
3. **Exclusion:** Florence M. Pack, Willard L. Pack, Rebecca Mears and Robin Pack to Pamela Pack Taylor (Corner lot of above-described property) under date of July 27, 1978 and of record in Deed Book K-5, Page 477.
4. **Deed of Trust:** Paul M. Koger, State Director, Farmers Home Administration, to Florence M. Pack and husband, John L. Pack and children under date of August 18, 1975, of record in Record Book 38, Page 998.
5. **Right of Way:** Florence Mable Pack to DeKalb County under date of June 8, 1970, of record in Deed Book G-4, Page 93.

**MAP: 064    PARCEL: 28.04**

#### **SCEDULE B**


#### THIS OPINION IS SUBJECT TO:

1. Such state of facts as an accurate survey would or might disclose.
2. Subject to any and all matters as shown and/or stated on any recorded plat of record in the Register’s Office, DeKalb County, Tennessee.
3. The 2023 DeKalb County, Tennessee real property taxes for this particular parcel of property not been paid and as of July 1, 2024 there is an amount due and owing of \$413.00, and if it is unpaid by August 1, 2024, then the amount will be \$419.00.

4. The 2024 DeKalb County, Tennessee real property taxes, which would constitute a lien on the property but are not due and payable until February 28, 2025.
5. Easements, liens, agreements, encroachments or other instruments affecting said premises and not appearing upon the public records of said County and all visible easements.
6. Any portion or portions of the captioned property embraced within the boundaries of roads and/or highways.
7. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy use or enjoyment of the land or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation of 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 relating to environmental protection or hazardous waste.
8. Correct indexing in the Register's Office, DeKalb County, Tennessee.

This certificate is dated in Smithville, Tennessee as the 26th day of July, 2024 at 9:42 A.M.

Respectfully,

  
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BRANDON J. COX, ATTORNEY AT LAW