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**ATTORNEY'S PRELIMINARY REPORT ON TITLE**

TO: **TAYS REALTY & AUCTION LLC**

RE: **LOT 317, BLOCK 9 OF RENEGADE RESORT**

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 **Garry W. McNabb and Randy Graham, Co-Trustees of The Millard V. Oakley Family Trust, U/A/D December 30, 2010**, 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 2024, not yet due nor payable and subsequent years for Map 154-B, Group C, Parcel 11.00. 2023 taxes were paid January 8, 2024 in the amount of \$24.00 on Receipt #43078.
2. Restrictive covenants of record in Deed Book 124, page 5; Deed Book 132, page 364; and Deed Book 347, page 76, Register's Office, Cumberland County, Tennessee.
3. Reservation of all oil, gas and other minerals under the subject property by Renegade Resort, LLC, in the deed to be recorded.
4. All matters shown on the Plat of Block 9 of Renegade Resort of record at Plat Book 9, page 207, Register's Office, Cumberland County, Tennessee
5. The potential lien for unpaid Community Club dues, if any, in favor of Cumberland Gardens Community Club, and all other assessments, fees and dues for any other association or entity, if any.

This Certificate is dated as of the 5<sup>th</sup> day of August, 2024 at 8:00 A.M.

**LOONEY, LOONEY, CHADWELL &  
HAMBY, PLLC**

BY: 

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Kenneth M. Chadwell, Attorney

## **EXHIBIT "A"**

Lying and being in the FOURTH CIVIL DISTRICT of Cumberland County, Tennessee, bounded and described as follows:

Being **Lot 317, Block 9 of Cumberland Gardens Resort** (formerly Renegade Resort), a plat of which appears of record at Plat Book 3, page 51, Register's Office, Cumberland County, Tennessee.

Being the same property acquired by Garry W. McNabb and Randy Graham, Co-Trustees of The Millard V. Oakley Family Trust, U/A/D December 30, 2010, from Garry W. McNabb, Personal Representative of the Estate of Millard V. Oakley, of record at Book 1690, page 471, Register's Office, Cumberland County, Tennessee.

This conveyance is made expressly subject to the following matters: (i) restrictive covenants for Cumberland Gardens Resort of record in Deed Book 124, page 5; Deed Book 132, page 364; and Book 347, page 76, Register's Office, Cumberland County, Tennessee; (ii) the reservation of all oil, gas and other minerals under the subject property by the grantor herein; and (iii) all matters shown on the plat of Block 9 of Cumberland Gardens Resort of record at Plat Book 3, page 51, 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.
18. Any loss or damage as a result of the failure of Renegade Resort, LLC, to comply with the provision of the Interstate Land Sales Full Disclosure Act codified at 15 U.S.C. §1701, et seq., including the potential right of the purchaser to rescind the purchase of this property.