

TITLE OPINION

DATE: JANUARY 17, 2017
PROPERTY OWNER: CHRISTOPHER SHANE WELLS (as to an undivided one-half interest) and BROOKE DeJONG WELLS (as to an undivided one-half interest)
PROPERTY ADDRESS: 4405 GALBRAITH SCHOOL ROAD, KNOXVILLE, TN 37920

The undersigned hereby certifies to **POWELL AUCTION & REALTY, 6729 PLEASANT RIDGE ROAD, KNOXVILLE, TENNESSEE 37921**, that, based on personal examination of the public records of Knox County, Tennessee, for a period of thirty years down to 8:30 A.M. on the date hereof, it is the opinion of the undersigned that, subject to the liens, encumbrances and other objections noted in Schedule B hereof, the marketable fee simple title in the real estate herein below described is vested in **CHRISTOPHER SHANE WELLS (as to an undivided one-half interest) and BROOKE DeJONG WELLS (as to an undivided one-half interest)**.

SCHEDULE A
Description

SITUATE in District No. Nine (9) of Knox County, Tennessee, within the 28th Ward of the City of Knoxville, Tennessee, and being known as a Part of Lots 1, 2 and 3, Block A, of Lee Taylor Subdivision, as shown on the map of the same of record in Map Book 10, Page 49, in the Register's Office for Knox County, Tennessee, and being more fully described as follows:

BEGINNING at a point in the Northeast line of Galbraith School Road, distant 238.5 feet, more or less, Northwesterly from the intersection of the Northwest line of Taylor Road with the Northeast line of Galbraith School Road, said beginning point being corner to property conveyed by H. D. Horne and wife, to Charles Allen Horne and wife, in Deed Book 1226, Page 1199; thence from said beginning point with the line of Galbraith School Road, North 45 degrees West, 238.5 feet to a point at the West corner of Lot 1; thence with rear line of Lots 1, 2 and 3, North 50 degrees East, 235 feet, more or less, to the corner of Lot 4; thence with dividing line between Lots 3 and 4, in a Southeasterly direction 241 feet, more or less, to the corner of property conveyed to Charles Allen Horne and wife, in Deed Book 1226, Page 1199; thence with line of said property South 50 degrees 43 minutes West, 235.3 feet, more or less, to the place of **BEGINNING**, according to the survey of G. T. Trotter, Jr., Surveyor, dated August 30, 1978, drawing no. 15843.

THIS CONVEYANCE is made subject to applicable restrictions, building lines and all existing easements.

BEING the same property conveyed from **CHRISTOPHER SHANE WELLS**, Trustee of the Trust under the Last Will and Testament of **BARBARA J. WELLS** for the benefit of **BARRY C. WELLS**, to **CHRISTOPHER SHANE WELLS**, as to an undivided one-half interest, and **BROOKE DeJONG WELLS**, as to an undivided one-half interest, by Trustee's Quit Claim Deed dated February 19, 2016 and recorded on May 26, 2016 as Instrument #201605260068922 in the Register of Deeds Office, Knox County, Tennessee.

SCHEDULE B
Liens, Objections, Etc.

- TAXES:** The county taxes are paid through 2015 in the amount of \$978.00. The 2016 county taxes are due and payable in the amount of \$978.00. The City of Knoxville taxes are paid through 2015 in the amount of \$1,149.56 (Rec. #023362). The 2016 City of Knoxville taxes are due and payable in the amount of \$1,149.56 (Rec. #068703). The 2017 county and city taxes are accruing and constitute a lien against the subject property, but are not yet due and payable.

TAX PARCEL ID NO: 109KG-022

2. DEEDS OF TRUST, LIENS, etc.:

I find none of record affecting the subject property.

3. RESTRICTIONS:

a. Subject to all applicable easements, restrictions and right of ways as shown of record in the Register of Deeds Office, Knox County, Tennessee.

b. Subject to a minimum building setback line of 35 ft. on the front as noted on the plat recorded in Old Map Book 86L, Page 7 in the Register of Deeds Office, Knox County, Tennessee.

4. EASEMENTS:

a. Subject to all applicable easements, restrictions and right of ways as shown of record in the Register of Deeds Office, Knox County, Tennessee.

b. Subject to 10 ft. utility and drainage easement inside all lot lines as noted on plat in Old Map Book 86L, Page 7 in the Register of Deeds Office, Knox County, Tennessee.

5. OTHER EXCEPTIONS, OBJECTIONS, REMARKS OR REQUIREMENTS:

a. The description of the property is vague and indefinite. It is impossible to accurately determine the property's exact location or boundaries. We recommend that the property be surveyed, and a new description drawn from the survey for use in conveyance of this property.

DISCLAIMERS:


a. This Report of Title does not make any representation with regard to (A) any parties in possession; (B) deficiencies in quantities of land; (C) boundary line disputes; (D) roadways; (E) any unrecorded easements; (F) any unrecorded liens; (G) accuracy of the index books of the Register of Deed's Office for the County in which the property is situate; (H) any matter not of public record which would be disclosed by an accurate survey or inspection of the premises; (I) any undisclosed heirs; (J) any fraud or forgery in connection with any of the instruments of the chain of title; (K) mental incompetence; (L) confusion with regard to the name or proper identity of parties; (M) improprieties with regard to the delivery of any deed; (N) marital rights - spouse or former spouse of past owners not revealed in the instrument; (O) any instrument executed by a minor; (P) lack of corporate capacity in the event a corporation is in the chain of title; (Q) mineral and/or mineral related rights; and (R) rights of any parties or persons under any other unrecorded deeds, mortgages, or other instruments of whatsoever type or nature.

b. The items listed under the preceding paragraph are matters which would not be revealed by an examination of the records in the Register of Deed's Office for the county in which the property is situate, and, therefore, matters in which we have no means of securing the necessary information. The matters under (A), (B), (C), (D), and (E) could be protected against by an accurate survey by a qualified licensed surveyor. Item (F) unrecorded liens, could be guarded against by inspection of the premises for newer improvements, and if such appear to have been present, the utilization of the notice of completion and expiration of the waiting period as per Tennessee Code Annotated Section 66-11-143. The remaining items listed under the preceding paragraph number, (G) through (R), may be insured against by the utilization of title insurance, and should you desire more information in that regard, we would be pleased to discuss same with you and our position, if you desire, to arrange for title insurance to be secured.

c. This Report of Title is intended for the exclusive use of **POWELL AUCTION & REALTY, 6729 PLEASANT RIDGE ROAD, KNOXVILLE, TENNESSEE 37921**, and makes no warranties, express or implied, to any other bank, corporation, group, person or persons, for any purpose whatsoever.

d. This Certificate of Title does not warrant against any claims known or unknown arising at any time as a result of the presence of toxic or hazardous substances or pollutants of any kind upon,

within, or under the surface of said property, including prior usage as a "dump site" or as a landfill in whole or in part, nor does this Certificate of Title warrant against any claims known or unknown arising at any time as a result of violation of any Federal or State laws or regulations, including "the Superfund" regulations, concerning environmental hazardous waste or toxic waste or substances or other pollutants and the regulation thereof.


MAGILL, CRYE & CIZEK
Attorneys at Law
125 North Main Street
Clinton, Tennessee 37716

File #: 17-1018