

TITLE OPINION

DATE: January 29, 2018
PROPERTY OWNER: PAUL T. BRIMI, deceased
PURCHASER: POWELL AUCTION
PROPERTY ADDRESS: 5209 HOLSTON DRIVE, KNOXVILLE, TN 37914

The undersigned hereby certifies to **POWELL AUCTION & REALTY, LLC, 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 **PAUL T. BRIMI, deceased**.

SCHEDULE A
Description

SITUATE in District No. Seven (7) of Knox County, Tennessee, within the 31st Ward of the City of Knoxville, Tennessee, and being known and designated as Part of Lot 3, Block A, **CHILHOWEE HILLS ADDITION, Section 1**, as shown on the map of the same of record in Map Book 8, Page 40, Register's Office, Knox County, Tennessee, and being more particularly bounded and described according to the survey of Wade B. Nance, Surveyor, dated December 7, 1995, bearing Drawing #A-15163 as follows, to wit:

BEGINNING at an existing pipe in the northwestern right-of-way of Holston Drive, corner to Lot 4, said iron pin being located in a northeasterly direction 419 feet, more or less, from the point of intersection of the northwestern right-of-way of Holston Drive and Tulane Avenue; thence with the line of Lot 4, North 26 deg. 19 min. West 199.31 feet to an existing iron pin; thence North 63 deg. 15 min. East 100.18 feet to an existing iron pin in the line of Lot 2; thence with the line of Lot 2, South 26 deg. 18 min. East 200.06 feet to an existing crimp top pipe in the northwestern right-of-way of Holston Drive; thence with said right-of-way, South 63 deg. 40 min. 38 sec. West 100.10 feet to the point of beginning.

BEING the same property conveyed from Darla Kay Smith Thomas, Individually, and Danny Boyd Smith, Both Individually and as Executor of the Estate of Boyd M. Smith, to Paul T. Brimi, unmarried, by the Warranty Deed dated December 12, 1995 and recorded on December 18, 1995 in Deed Book 2198, Page 196, in the Register of Deeds Office, Knox County, Tennessee.

THIS conveyance is made subject to all applicable easements, restrictions, and building setback lines of record in Knox County, Tennessee.

The above description was prepared from boundary survey prepared by Wade Nance, Surveyor, License # 856, whose address is 901 East Summit Hill Avenue, Knoxville, Tennessee 37915.

SCHEDULE B
Liens, Objections, Etc.

1. **TAXES:** The Knox County taxes are paid through 2017 in the amount of \$471.00. The City of Knoxville taxes are paid through 2017 in the amount of \$547.58 (Rec. #070018). The 2018 Knox County and City of Knoxville taxes are accruing and constitute a lien against the subject property, but are not yet due and payable.

TAX PARCEL ID NO: 071JG-010

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, including, without limitation, those shown on the map recorded in Map Book 8, Page 40, and those recorded in Deed Book 596, Page 161, but deleting restrictions, if any, indicating any preference, limitation or discrimination, based on race, color, religion, national origin, sex and handicap/disability.

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, including, without limitation, those shown on the map recorded in Map Book 8, Page 40, and those recorded in Deed Book 596, Page 161, but deleting restrictions, if any, indicating any preference, limitation or discrimination, based on race, color, religion, national origin, sex and handicap/disability.

5. OTHER EXCEPTIONS, OBJECTIONS, REMARKS OR REQUIREMENTS:

a. The subject property passes through the estate of Paul Thomas Brimi, deceased (date of death October 12, 2017), Knox County Chancery Court, Probate Division, Probate Docket No. 79538-1. The property to be insured could be subject to a lien for any federal estate taxes or any creditor's claims. All net proceeds of any sale must be held in escrow until: 1) the time period for filing claims has expired and any claims filed have been released (the first publication date of the Notice to Creditors was October 26, 2017 and the initial period for creditors to file claims expires on February 26, 2018); and 2) a federal estate tax closing letter has been obtained (if applicable). There is a release from the Bureau of TennCare on file in the probate proceeding. There is a Will that was probated on October 20, 2017 in Minute Book 405, Page 823 and is of record in Will Book 240, Page 618. The devisees are the decedent's nieces and nephews, who are identified on the Petition to Probate as follows: Ben Mandrell, Jeff Moffitt, Jill Moffitt, Hunter Brimi, Sara R. Ogle, Robert Rhinehart, Michael Rhinehart, William Perkins, Brian Perkins, Cathy Perkins, and Caroline Hooper. The Personal Representative is Patricia B. Janney. The Personal Representative is specifically directed in the Will to sell the decedent's house located at 5209 Holston Drive in Knoxville, Tennessee, and therefore can convey real property.

DISCLAIMERS:

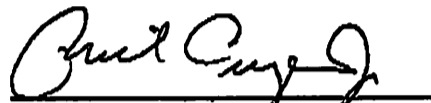
a. This Report of Title does not make any representation with regard to (A) any parties in possession; (B) deficiencies in quantities of land; (C) boundary line disputes; (D) roadways; (E) any unrecorded easements; (F) any unrecorded liens; (G) accuracy of the index books of the Register of Deed's Office 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, LLC, 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.



PHILIP R. CRYE, JR.
Attorney at Law
125 North Main Street
Clinton, Tennessee 37716

File No.: 18-1015