



LAWYERS LAND & TITLE

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May 23, 2024

Laws M. Bouldin, Attorney
Kious, Rodgers, Barger & Sanderson
503 North Maple Street
Murfreesboro, TN 37130

RE: PRELIMINARY TITLE OPINION LETTER
BORROWER(S): TBD
PROPERTY: 1.40 acres and 0.42 acres on Pitts Lane, Murfreesboro, TN 37130
LOAN AMOUNT: \$0.00
FILE NO: MC-24040526

Dear Mr. Bouldin:

This is to certify that I have made an examination of the real estate records and the records of the Register's Office of Rutherford County, Tennessee, as indexed, as the same related that parcel of real estate situated in Rutherford County, Tennessee, and being more particularly described as follows, to wit:

Tract 1:

Located in the 13th Civil District of Rutherford County, Tennessee. Bound on the north by Wayne Murphy, etux Dorothy S. (Record Book 989, Page 1588), Thomas L. Hooper, etux Robbie (Record Book 2160, Page 2450), and Anthony Lee Neely (Record Book 1873, Page 3485); on the east by Pitts Lane and Thomas L. Hooper, etux Robbie M. (Record Book 2160, page 2450); on the south by Lots 1-6, McKinley Place Subdivision (Plat Book 33, Page 265); and on the west by Lots 67-69, Quail Run Subdivision Section 2 (Plat Book 11, Page 157).

Beginning at an iron pin set in the west right-of-way of Pitts Lane lying 205+- feet north of the centerline of McKinley Place, being the southeast corner of this tract; thence with the north line of Lot 1, McKinley Place Subdivision, N83°00'40"W, 115.61 feet to an iron pin found; thence with the north line of Lots 2-5, McKinley Place Subdivision, N83°00'40"W, 456.30 feet to an iron pin found; thence with the north line of Lot 6, McKinley Place Subdivision, N83°23'44"W, 21.91 feet to an iron pin set, being the southwest corner of this tract; thence with the east line of Lot 69, Quail Run Subdivision, N24°30'36"W, 55.73 feet to an iron pin set; thence with the east line of Lots 67-69, Quail Run Subdivision, N07°35'24"E, 149.08 feet to an iron pin found, being the northwest corner of this tract; thence with the south line of Murphy, S82°46'42"E, 207.87 feet to a pipe found; thence with the west line of Hooper, S07°39'45"W, 150.49 feet to an iron pin set by a fence corner; thence with the south line of Hooper, S82°53'55"E, +- 199.05 feet to a pipe found, thence with the south line of Neely, S82°50'56"E, 170.48 feet to an iron pin set, being the northeast corner of this lot; thence with the west right-of-way of Pitts Lane, S07°09'50"W, 49.87 feet to The Point of Beginning containing, 1.40 acres more or less.

Tract 2:

Located in the 13th Civil District of Rutherford County, Tennessee. Bound on the north Lots 47 & 48, Mirabella Subdivision Section 4 (Plat Book 28, Page 156), and Wayne Murphy, et ux Dorothy S. (Deed Book 476, Page 369); on the east by Pitts Lane; on the south by Wayne Murphy, et ux Dorothy S. (Record Book 989, Page 1588); and on the west by Lot 63, Quail Run Subdivision Section 2 (Plat Book 11, Page 157).

Beginning at an iron pin set in the west right-of-way of Pitts Lane lying 839+- feet north of the centerline of McKinley Place, being the southeast corner of this tract, thence with the north line of Murphy, N82°39'23"W, 579.79 feet to an iron pin set, being the southwest corner of this tract; thence with the east line of Lot 63, Quail Run Subdivision, N07°35'24"E, 29.98 feet to an iron pin set, being the northwest corner of this tract; thence with the south line of Lots 47 & 48, Mirabella Subdivision and Murphy, S82°39'23"E, 580.06 feet to an iron pinset, being the northeast corner of this tract; thence with the west right-of-way of Pitts Lane, S08°06'27"W, 29.98 feet to The Point of Beginning containing, 0.40 acres more or less.

Being a portion of the same property conveyed to Reese L. Smith, Jr. by Warranty Deed filed for record on March 8, 1991 in Deed Book 458, page 465, of the Register's Office of Rutherford County, Tennessee. The said Reese L. Smith, Jr. died testate on or about August 18, 1991. Pursuant to the Last Will and Testament of Reese L. Smith, Jr. of record in Will Book 54, page 279, in the Probate Court for Williamson County, Tennessee, said property was devised to either the Trustees of the Reese L. Smith, Jr. Family Trust or The Marital Trust. Upon the death of Marcella Smith, wife of Reese L. Smith, Jr., said Marital Trust is to terminate and said property is to pour over into the Family Trust. Upon the death of Marcella Smith, date of death is August 25, 1999, said property is to be distributed to the children of Reese L. Smith; i.e, Reese L. Smith, III, Stephen Smith and Mark Smith.

Being the same property conveyed to Reese Smith III, Steve Smith and the Heirs of Mark Smith namely Mark Smith Jr., Chipper Smith and Blake Smith by Quitclaim Deed filed for record on April 3, 2024 in Record Book 2425, page 1236 and corrected in Record Book 2429, page 3416, of the Register's Office of Rutherford County, Tennessee.

Being the same property conveyed to Thomas E. Smith by Quitclaim Deed filed for record on April 3, 2024 in Record Book 2425, page 1243 and corrected in Record Book 2429, page 3418, of the Register's Office of Rutherford County, Tennessee.

Based on this examination, I am of the opinion that good fee simple title to the above-described real estate is vested in Thomas E. Smith, with the following exceptions, to-wit:

1. TAXES, DEEDS OF TRUST, AND LIENS:

1. Payment of Rutherford County DELINQUENT taxes for the year 2023 in the amount of \$92.00 for Tax Parcel Identification No. 081-043.04/Acct. #: R0048083, good through 04/30/2024. All prior years are paid.
2. City of Murfreesboro taxes for the year 2023 PAID in the amount of \$45.00 for Tax Parcel Identification No. 081-043.04/Acct. #: R0048083. All prior years are paid.
3. Payment of Rutherford County DELINQUENT taxes for the year 2023 in the amount of \$28.00 for Tax Parcel Identification No. 081-043.03/Acct. #: R0048082, good through 04/30/2024. All prior years are paid.
4. City of Murfreesboro taxes for the year 2023 PAID in the amount of \$14.00 for Tax Parcel Identification No. 081-043.03/Acct. #: R0048082. All prior years are paid.

2. RESTRICTIONS, EASEMENTS AND OTHER MATTERS:

5. Sanitary Sewer Easement to City of Murfreesboro on parent parcel of record in Deed Book 267, page 173, said Register's Office.
6. All matters as set forth in Warranty Deed to South Central Bell Telephone Company on parent parcel of record in Deed Book 315, page 163, said Register's Office.
7. Sanitary Sewer and Drainage Easement on parent parcel of record in Deed Book 422, page 745, said Register's Office.
8. All matters including but not limited to a non-exclusive permanent easement for a storm water ditch on parent tract as set forth in Deed Book 339, page 288, said Register's Office.
9. All matters as set forth in Warranty Deed to City of Murfreesboro on parent tract as set forth in Deed Book 355, page 143, said Register's Office.
10. All matters including but not limited to conveyance of right of way on parent tract as set forth in Quitclaim Deed to City of Murfreesboro of record in Deed Book 355, page 146, said Register's Office.
11. Easement to City of Murfreesboro for perpetual avigation and right of way for the unobstructed and unrestricted flight of aircraft on parent tract of record in Deed Book 123, page 473, said Register's Office.
12. Easement to City of Murfreesboro for a water line on parent tract of record in Deed Book 90, page 279, said Register's Office.
13. All matters including but not limited to a right of way easement as set forth in Trust Deed Book A257, page 178, said Register's Office.
14. Quitclaim Deed and Temporary Construction Easement for Road Improvements of record in Record Book 680, page 1055, said Register's Office. (as to 081-043.03)
15. Quitclaim Deed, Permanent Slope/Drainage Easement and Temporary Construction Easement for Road Improvements of record in Record Book 680, page 1051, said Register's Office. (as to 081-043.04)
16. Permanent Right-of-Way Easement for Ingress/Egress of record in Record Book 1325, page 2028, said Register's Office. (as to 081-043.04)
17. County of Rutherford taxes for the year 2024 and subsequent years, a lien not yet ascertainable, due or payable.
18. City of Murfreesboro taxes for the year 2024 and subsequent years, a lien not yet ascertainable, due or payable

This certificate and any final opinion referencing this certificate 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 real estate records and the records of the Register's Office of Rutherford County, Tennessee; (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 in 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 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.

These items listed in the previous paragraph are matters, which would not be revealed by an examination of the real estate records and the records of the Register's Office of Rutherford County, Tennessee; 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) could be guarded against by inspection of the premises for new improvements and if such appear to have been present, and if such improvements are complete, the Notice of Completion as per T.C.A. Section 66-11-143, et seq. may be utilized. The remaining items listed above (g) through (p), may be insured against by the utilization of title insurance.

THIS CERTIFICATE IS RENDERED AS OF APRIL 19, 2024 at 08:00 AM FOR THE EXCLUSIVE USE OF THE ADDRESSEE AND WE ARE NOT RESPONSIBLE TO ANOTHER PERSON RELYING UPON IT FOR ANY REASON.

Sincerely,

A handwritten signature in cursive script, appearing to read "John W. Rodgers", written in dark ink.

John W. Rodgers

Lawyers Land & Title Services, LLC
500 North Walnut St.
Murfreesboro, TN 37130