

ATTORNEY'S CERTIFICATE OF TITLE

TO: HARRIMAN UTILITY BOARD

RE: Property of LUTHER R. SMITH, more particularly described in deed of record in Deed Book X, Series 19, Page 525, in the Register's Office for Roane County, Tennessee

This is to certify that I have made examination of title to the captioned property on the records of Roane County, Tennessee, and based upon such examination, I find and certify good, merchantable title to be vested in Luther R. Smith subject to the following restrictions, conditions and encumbrances:

SCHEDULE "A" - EXCEPTIONS TO TITLE

1. Exception is taken to any state of fact a survey of the premises would disclose.

2. Exception is taken to any state of fact a personal examination of the premises would disclose.

3. Exception is taken to any liens, builders, furnishers, materialmen's, etc., judgments on any matter not filed of record as of November 17, 1999 at 8:30 a.m.

4. This title report is subject to the correctly indexed records of the Register's Office for Roane County, at Kingston, Tennessee and any errors therein are hereby excepted.

5. Exception is also taken to any unrecorded deed, liens, leases, boundary line agreements, or any boundary line disputes which may exist without the knowledge of the abstractor.

6. Exception is taken to easements for any and all utilities, public or private, on, under or across any part of the land in question.

7. Exception is taken to easements for any and all roads, whether public or private.

8. Property is subject to a Trust Deed, Assignment of Leases and Rents and Security Agreement, executed May 2, 1995, Luther R. Smith d/b/a Handee Burger, to Guaranty Title Company, Trustee, of record May 2, 1995, at Trust Book 552, Page 568, in the Register's Office for Roane County, Tennessee, which conveys subject property in trust to secure a debt owing First American National Bank, evidenced by one promissory note of even date therewith in the principal amount of \$50,000.00.

9. Property is subject to a Purchase Money Deed of Trust executed May 2, 1995, Luther R. Smith to Robert L. Badger, Trustee, of record May 2, 1995, at Trust Book 552, Page 576, in the Register's Office for Roane County, Tennessee, which conveys subject property in trust to secure a debt owing James E. Stout and wife, Barbara Stout, evidenced by one promissory note of even date therewith in the principal amount of \$100,000.00.

10. Property is subject to 1999 Roane County taxes in the amount of \$935.00, which are now due and payable.

11. Property is subject to 1999 Harriman City taxes which are not yet due or payable.

This Title Opinion covers the period from July 2, 1951 to November 17, 1999 at 8:30 a.m., for the amount of this transaction, but not otherwise.

By: William A. Newcomb
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