

SHERRY WITT  
REGISTER OF DEEDS  
KNOX COUNTY

PREPARED BY: BAKER, DONELSON, BEARMAN  
CALDWELL & BERKOWITZ, P.C.  
265 Brockview Centre Way, Suite 600  
Knoxville, TN 37919

MORTGAGEE: GreenBank  
10201 Parkside Drive  
Knoxville, TN 37922

APPOINTMENT OF SUBSTITUTE TRUSTEE

WHEREAS, by Deed of Trust, Security Agreement and Assignment of Leases dated March 4, 2008, G & B Services of Knoxville, Inc., did convey in trust to Kenneth Clark Hood, Trustee, a certain tract of land to secure payment of a debt in the principal sum of \$420,000.00 payable to GreenBank, of record as Instrument No. 20080306066314, in the Register of Deeds Office of Knox County, Tennessee (the "Deed of Trust"), said Deed of Trust is incorporated herein by reference;

NOW, THEREFORE, GreenBank, exercising its authority as such owner and holder, does hereby name and appoint P. Edward Pratt, as Substitute Trustee under said Deed of Trust, who is vested with all of the rights, powers and privileges of the Trustee set forth in said Deed of Trust.

Should the undersigned become the highest and best bidder at the foreclosure sale, the Substitute Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosure property to whomsoever the undersigned shall authorize. The statement in the Substitute Trustee's Deed that the undersigned has requested transfer of its bid to grantee(s) in the Substitute Trustee's Deed shall be binding on the undersigned and conclusive evidence in favor of the assignee or other parties thereto, that the Trustee was duly authorized and empowered to execute same.

WITNESS the execution hereof by GreenBank, through its duly authorized officer, this 6<sup>th</sup> day of July, 2009.

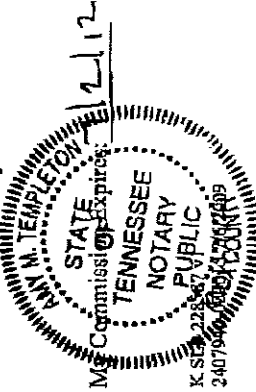
GREENBANK

By: James E. Dalton  
Its: Senior Vice President

STATE OF TN  
COUNTY OF KNOX

Before me the undersigned Notary Public within and for the State and County aforesaid, personally appeared James E. Dalton, with whom I am personally acquainted (or who proved to me upon the basis of satisfactory evidence) and who upon oath, acknowledged herself/himself to be the SVP of GreenBank, the within mortgagor, and that she/he in such capacity being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself/himself in such capacity.

WITNESS my hand and seal at office, this 6<sup>th</sup> day of July, 2009.



James M. Triplett  
Notary Public



Knox County Page: 1 of 1  
REC'D FOR REC 07/06/2009 3:56:58PM  
RECORD FEE: \$12.00  
M. TAX: \$0.00 T. TAX: \$0.00  
**200907060001519**

Form 8/26/2005

This instrument prepared by:

Sharon E. Boyce  
Senior Attorney  
City of Knoxville

SHERRY WITT  
REGISTER OF DEEDS  
KNOX COUNTY

**COVENANTS FOR PERMANENT MAINTENANCE OF  
STORMWATER FACILITIES**

**MICHAEL S. CARPINO**, with a mailing address of 6500 Papermill Drive, Suite 210, Knoxville, Tennessee 37919, (hereinafter "Property Owner") grants these Covenants for Maintenance of Stormwater Facilities (hereinafter "Covenants") on this the 7<sup>th</sup> day of May 2008.

**WITNESSETH:**

**WHEREAS**, the City of Knoxville Stormwater and Street Ordinance, as amended, requires property owners to enter into permanent maintenance agreements for stormwater facilities before the property is developed.

**WHEREAS**, the term "stormwater facilities" may refer to water quality and/or water quantity facilities, including, but not limited to detention/retention ponds, swales, pipes, oil-water separators and sand filtering devices.

**NOW THEREFORE**, as a condition of the Department of Engineering's issuance of a Site Development Permit, the Property Owner warrants, covenants, grants and declares as follows:

1. The Property Owner warrants that it is the owner of property located within the City of Knoxville at 202 Seaman Street and 101 Emmett Street: CLT Number: Map 108; Insert A; Group G; Parcels 045 and 040; City Block Number: 24324; and more specifically of record by deed dated March 23, 2006, and recorded as Instrument Number 200603280080454 with the Knox County Register of Deeds, (hereinafter referred to as the "Property") and that it has the right to grant said Covenants.
2. The Property Owner desires to develop all or a portion of the above described Property according to the Site Development Permit to be issued by the City Engineering Department based on the Property Owner's site/subdivision plan entitled New Building for Southern Built, dated April 24, 2008, and prepared by Will Robinson of Will Robinson & Associates, (hereinafter "Plan"), approved by the Department of Engineering on May 2, 2008, any minor revisions of this plan approved by the Department of Engineering, or as shown on the as-built drawing approved by the Department of Engineering.



Knox County Page: 1 of 3  
REC'D FOR REC 05/12/2008 8:57:31PM  
RECORD FEE: \$22.00  
M. TAX: \$0.00 T. TAX: \$0.00

**200805120084618**

3. The Property Owner will construct and maintain the stormwater facilities in strict accord with the Plan, specifications, calculations, and conditions required by the Department of Engineering.
4. The Property Owner will provide a surety bond, letter of credit or cash bond acceptable to the City and in an amount to be determined by the Department of Engineering to guarantee that the stormwater facilities are constructed in accordance with the Plan.
5. To ensure that subsequent property owners have notice of these Covenants and the obligations therein, the Property Owner will include in all instruments conveying any or all of the above described Property the specific instrument number(s) referencing these Covenants and the recorded subdivision plat indicated in paragraph 13 herein.
6. The Property Owner will maintain the approved stormwater facilities in good working order acceptable to the City Department of Engineering. Minimum maintenance of the said facilities shall include sediment, debris, oil, hydrocarbons, and foreign materials removal; cutting and removal of woody vegetation on an annual basis; and keeping emergency spillways functional and clear of woody vegetation and debris so that the operation and capacity of the stormwater facilities continue to meet the standards in said Plan.
7. An inspection log will be kept on site with the name and title of the inspector, the date of the quarterly inspections, sediment depth and whether or not maintenance was needed. Property owner shall certify in writing, on or before January 15 of each year, that the stormwater quality facility has been inspected and that the system is functioning properly. Certification may be a letter and a maintenance receipt from the maintenance contractor. Property owner shall also report any repairs or replacements in the previous twelve (12) months, the dates of inspections, maintenance and/or repairs. Property owner shall send the certification to:
- The City of Knoxville Department of Engineering  
Stormwater Quality Section  
P. O. Box 1631, Suite 480  
Knoxville, TN 37901
8. In order to provide access to stormwater facilities by personnel, vehicles and equipment, the Property Owner will provide a twenty (20) foot wide access within an easement from a public street in strict accord with the Plan and any conditions required by the Department of Engineering. The Property Owner further covenants that no structure or building will be erected on the access easement; that no woody vegetation shall be allowed to grow on the easement; and that no use will be made which will interfere with the use of said easement for access to the facilities. If access to the facilities is obstructed and the City



is required to remove the obstruction, the City will follow the notice procedure, double lien, and collection process as set forth in Paragraph 10 herein.

9. Property Owner grants permission to the City, its agents and employees, to enter upon the property to inspect and monitor said facilities whenever the City deems necessary and further for the City or its agents to repair, replace, maintain and reconstruct said facilities as permitted herein.

10. (a) If the City determines that the stormwater facilities are not being maintained in good working order and gives written notice to the current property owner to repair, replace, reconstruct or maintain said facilities within a reasonable time, and the property owner fails to comply with the City's notice within the time specified, Property Owner authorizes the City or its agents to enter upon the Property to repair, reconstruct, replace or perform maintenance on said facilities at the Property Owner's expense.

(b) If the Property Owner fails to pay the City for the above expenses after forty-five (45) days written notice, the Property Owner authorizes the City to place a lien for double the amount of said expenses of repair, maintenance or reconstruction against the property and to collect said expenses from the Property Owner through the appropriate legal action, with the Property Owner to be liable for the reasonable expenses of collection, court costs, and attorney fees.

(c) Property Owner recognizes, however, that this remedy does not obligate the City to maintain or repair any stormwater facilities or restrict the City from pursuing other or additional legal remedies against the Property Owner.

11. These Covenants shall be binding upon the Property Owner's heirs, administrators, executors, successors and assigns, and any and all subsequent property owners. Upon conveyance of the Property, these Covenants shall transfer to and be binding upon the new property owner, and the original Property Owner shall be released from any and all responsibilities and obligations under these Covenants.

12. These Covenants are permanent and shall run with the land.

13. Property Owner will record a plat showing and accurately defining the easements for stormwater facilities and an access easement to these facilities. The plat must reference the Instrument Number where these Covenants are recorded and contain a note that the property owner is responsible for maintaining the facilities.

14. Property Owner will pay the recording fee and the Department of Engineering will record these Covenants with the Knox County Register of Deeds (and return a copy to the



Page: 3 of 4

20080512084618

**POOR ORIGINAL**

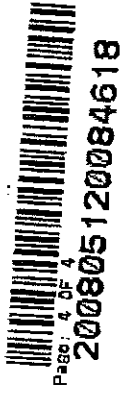
Property Owner) before the final plat is signed by the Department of Engineering, and before all or any portion of the property is transferred or conveyed.

15. If the Property Owner, its successors or assigns, obtains a Site Development Permit from the City of Knoxville, constructs an alternate detention basin to standards existing at the time of construction, executes new Covenants and complies with all requirements, the City agrees to release this document.

**APPROVED BY DEPARTMENT OF ENGINEERING:**

By: [Signature] Date: 5-8-08

Title: ERC



PROPERTY OWNER:  
**MICHAEL S. CARPINO**

[Signature]  
(Signature)

DATE: 5/6/08

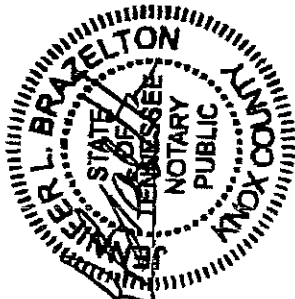
STATE OF TENNESSEE

COUNTY OF KNOX

Before me, Jennifer L. Brazzelton (notary name) of the state and county mentioned, personally appeared **MICHAEL S. CARPINO**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who executed the foregoing instrument for the purpose therein contained.

WITNESS, my hand and notarial seal this day year above written.

NOTARY PUBLIC



MY COMMISSION EXPIRES:

[Signature] 11-2-09




State of Tennessee  
County of Knox

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State;

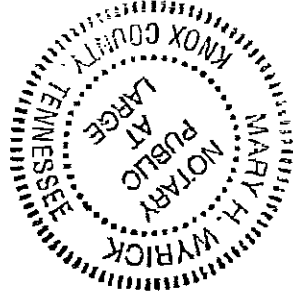
Alfred Lynn Roberts and Jack L. Smith and wife, Linda F. Smith the within named bargainers, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office in Knox County, this 21st day of December 2000.

My Commission Expires  
2/27/2001

  
\_\_\_\_\_  
Notary Public Mary H. Wyrick

File 12900



STEVE HALL  
REGISTER OF DEEDS  
KNOX COUNTY

THIS INSTRUMENT PREPARED BY

William L. Cooper, III  
700 Sevier Avenue  
Knoxville, Tennessee 37920

Grantee: Linda F. Smith  
Address: 4509 Robindale Drive  
Knoxville, Tennessee 37912  
Send tax notice to:  
Linda F. Smith  
4509 Robindale Drive  
Knoxville, Tennessee 37912

Map & Parcel Nos.  
108 A-G-36.00  
108 A-G-37.00  
108 A-G-38.00  
108 A-G-39.00  
108 A-G-40.00  
108 A-G-41.00  
108 A-G-42.00  
108 A-G-43.00  
108 A-G-44.00  
108 A-G-45.00  
108 A-H-18.00  
108 A-G-22.00  
108 A-G-23.00  
108 A-G-24.00  
108 A-G-46.00

COUNTERSIGNED

FEB 27 2006

JOHN R. WHITEHEAD  
KNOX COUNTY  
PROPERTY ADMINISTRATOR

BY 

INSTRUMENT OF CORRECTION OF ADMINISTRATORS' QUITCLAIM DEED

WHEREAS, by a deed of record in Warranty Book 2169, page 732, Register's Office for Knox County, Tennessee, Jack L. Smith, Shirley J. Mullins, Barbara Davenport, and Billie K. Smith, executrix of the Estate of Tommy E. Smith, individually and in their representative capacities (collectively the "Grantors") conveyed certain tracts of land in Knox County, Tennessee, to Jack L. Smith (the "Original Grantee"); and

WHEREAS, by inadvertence and mutual mistake, said deed contained an error in that the descriptions of three (3) tracts of land, being Map & Parcel No. 108A-G-46.00, intended to be conveyed were omitted. The omitted descriptions are set forth herein as Tracts 12, 13 and 14.

WHEREAS, the Original Grantee, Jack L. Smith died testate on October 24, 2002. His Will was probated in the Chancery Court for Knox County, Tennessee, Probate Division, No. P-03-61803-2, and his Will was recorded in Will Book 146, pages 183-185. By Will, all interests in real estate of Jack L. Smith vested in his wife and sole beneficiary Linda F. Smith (the "Grantee" herein).

WHEREAS, Linda F. Smith, Grantee has requested the Grantors to correct said error, and said Grantors have agreed to do so.

NOW THEREFORE, the Grantors, Shirley J. Mullins, Barbara Davenport, Billie K. Smith, Executrix of the Estate of Tommy E. Smith and Linda F. Smith, Executrix of the Estate of Jack L. Smith,



INSTRUMENT NO. 20060270071758, PAGE 1 OF 5  
RECORD FOR REC. 02/27/2006 11:47:56AM  
RECORD FEE: \$47.00  
M. TRA: \$0.00 T. TRA: \$0.00

each individually and in his/her representative capacity, herein convey, release, remise forever and quitclaim unto Linda F. Smith all right, title and interest in and to certain tracts of land in Knox County, Tennessee, described more particularly as follows:

TRACT 1

SITUATED in District No. 8 of Knox County, Tennessee, and in the Twenty-Fourth Ward of the City of Knoxville, Tennessee, and being all of Lot No. 49 in Sprankle's West End Addition to Knoxville, Tennessee. Said Lot fronts 54 feet more or less on the North side of McElroy Street and extending back therefrom in a northerly direction between parallel lines 120 feet more or less to an alley. Said Lot has a house thereon numbered 2507 McElroy Street.

BEING the same property conveyed to Willard R. Smith and Anna M. Smith, by deed dated October \_\_, 1986, from Floyd J. Reynolds and wife, Betty Ford Reynolds, of record in Deed Book 1896, page 1171, in the Register's Office for Knox County, Tennessee.

TRACT 3

Situated in District No. 5 (formerly 8) of Knox County, Tennessee, and in the 24th Ward of the City of Knoxville, and being all of Lot No. 50 in B. H. Sprankle's West End Addition, said lot fronting on the North side of McElroy (formerly Morrison) Avenue, and being more particularly described as follows:

Beginning at a point in the North line of McElroy Avenue, said point being the Southeast corner of Lot 50 and the Southwest corner of Lot 49 in said Addition; thence with the common boundary line between Lots 49 and 50, North 19 degrees West 124 feet more or less to a point that is a common corner for Lots 33, 34, 49 and 50 in said Addition; thence with the common boundary line between Lots 34 and 50 South 55 degrees 20 minutes West 54 feet more or less to a point that is a common corner for Lots 34, 35, 50 and 51 in said Addition; thence with the common boundary line between Lots 50 and 51 South 19 degrees East 127.8 feet more or less to a point in the North line of McElroy Avenue, said point being the Southwest corner of Lot 50 and the Southeast corner of Lot 51 in said Addition; thence with the North line of McElroy Avenue, North 50 degrees 38 minutes East 53 feet 4 inches more or less to the point of beginning; said lot being shown on Map A-2367, dated May 29, 1941, and titled Emmett Street Substation Property on North Side of McElroy Avenue West of Emmett Street Intersection, which map is on file in the Engineering Department of the Bureau of Power of the Knoxville Utilities Board, from which Map this description is taken.

BEING the same property conveyed to Willard R. Smith and wife, Anna M. Smith, by deed dated April 25, 1980, from the City of Knoxville, of record in Deed Book 1705, page 193, in the Register's Office for Knox County, Tennessee.

TRACT 4

Situated in District No. Five (formerly Eight) of Knox County, Tennessee and within the 24th Ward of the City of Knoxville, Tennessee, being known and designated as Lots 51 and 52, B.H. Sprankle's West End Addition, as shown on the map of the same of record in map Book 4, page 17, in the Register's Office for Knox County, Tennessee, and being more fully described as follows:

BEGINNING at a point in the north line of McElroy (formerly Morrison) Avenue at the southwest corner of Lot 50; thence with the line of McElroy Avenue in a westerly direction, 107 feet, more or



less, to the corner of Lot 53; thence with the line of Lot 53 in a northerly direction, 138 feet, more or less, to the southwest corner of Lot 36; thence with the line of Lots 36 and 35 in an easterly direction, 107 feet, more or less, to the corner of Lot 50; thence with the west line of Lot 50 in a southerly direction, 130 feet, more or less, to the place of BEGINNING.

BEING the same property conveyed to Willard R. Smith and wife, Anna M. Smith, by deed dated September 6, 1958, from Isaac Brooks and wife, Ruth Brooks, of record in Deed Book 1089, page 15, in the Register's Office for Knox County, Tennessee.

#### TRACT 5

Situate in District No. Five (formerly Eight) of Knox County, Tennessee, within the 24th Ward of the City of Knoxville Tennessee, being known and designated as Lots 53, 54, 55 and 56, B.H. Sprankle's West End Addition, as shown on the map of the same of record in Map Book 4, page 17, in the Register's Office for Knox County, Tennessee, said lots fronting 50-1/2 feet each on the north side of McElroy Avenue.

BEING the same property conveyed to W.R. Smith and wife Anna M. Smith, by deed dated October 3, 1961, from J.E. DeBusk and wife Zola DeBusk, of record in Deed Book 1189, page 141, in the Register's Office for Knox County, Tennessee.

#### TRACT 6

Situated in District No. 8 and within the 24th Ward of the City of Knoxville, Tennessee and being: All of Lot 57 In B.H. Sprankle's, and having a frontage of 50 feet on the north side of McElroy Street and running back therefrom between parallel lines 140 feet. Said premises being known as 3141 McElroy Street, Knoxville, Tennessee and bearing City of Knoxville Code Number 24-324-20.

BEING the same property conveyed to Anna M. Smith, by deed dated March 22, 1965, from Samuel H. Blair and his wife, Bertha Blair, of record in Deed Book 1282, page 163, in the Register's Office for Knox County, Tennessee.

#### TRACT 6

Situate in District No. Five (formerly Eight) of Knox County, Tennessee, and within the 24th Ward of the City of Knoxville Tennessee, being known and designated as Lots 44, 58 and 59, B.H. Sprankle's West End Addition, as shown on the map of the same of record in Map Book 4, page 17, in the Register's Office for Knox County, Tennessee, and being more fully described as follows:

Lot 44 fronts 50 feet, more or less, on the south side of VanDeventer Street and is located at the southeast corner of said street and Seaman Street, and is improved with a four room house No. 2570 VanDeventer Street.

Lots 58 and 59 each fronts 50 1/2 feet on the north side of Morrison Street, making a total frontage of 101 feet, more or less, on Morrison Street beginning with the eastern line of Lot 60 which is located at the northeast corner of Morrison Street and Seaman Street.

There is excepted herefrom that part of Lot 44 north of the fence which divides said Lot 44.

BEING a portion of the same property conveyed to Willard Smith and wife Anna Smith, by deed dated June 20, 1958, from Nola Sutton and Roy Sutton, of record in Deed Book 1080, page 287, in the Register's Office for Knox County, Tennessee.



TRACT 7

Situated in District No. Five of Knox County, Tennessee and within the 24th Ward of the City of Knoxville, Tennessee and being Lot No. 60 in B.H. Sprankle's West End Addition as same appears of record in Map Book 4, page 17, Register's Office for Knox County, Tennessee. Said Lot lies at the North East corner of Morrison and Seaman Streets, and fronts 58 feet, more or less, on the North side of Morrison Street, and extends back Northerly with Seaman Street 170 feet, more or less, to Lot No. 44 in said Addition.

BEING the same property conveyed to Anna M. Smith, by deed dated November 17, 1956, from Reeves Sutton and his mother, Nola Sutton of record in Deed Book 1075, page 469, in the Register's Office for Knox County, Tennessee.

TRACT 8

SITUATE in the 5th (formerly 8th) Civil District of Knox County Tennessee, within the 24th Ward of the City of Knoxville Tennessee, and being known and designated as Lot 56, Alex McMillan's Third Creek Addition, as shown on the map of the same of record in Map Book 3, page 63, in the Register's Office for Knox County, Tennessee, to which map specific reference is hereby made for a more particular description; said lot fronts 50.27 feet, more or less, on the West side of Seaman Street by 135 feet on the South side and along the North side of Spring Avenue to an alley and having a depth on the North side of said lot of 137.5 feet along the line between Lots 56 and 55 and has a width of 50 feet at the rear.

BEING the same property conveyed to Willard R. Smith and wife Anna M. Smith, by deed dated October 21, 1976, from Mary C. Ellison, widow of Elmer W. Ellison, of record in Deed Book 1594, page 220, in the Register's Office for Knox County, Tennessee.

TRACT 9

SITUATE in the 5th (formerly 8th) Civil District of Knox County, Tennessee, within the 24th Ward of the City of Knoxville, Tennessee, and being known and designated as Lots 42 and 43, B.H. Sprankle's West End Addition to Knoxville, Tennessee, as shown on the map of same which is of record in Map Book 4, page 17, in the Register's Office for Knox County, Tennessee, and being more fully described as follows:

BEGINNING at the Northeast corner of Lot 44, the South side of Grant Avenue; thence Eastwardly with Grant Avenue 100 feet to the Northwest corner of Lot 41; thence Southwardly 159 feet, more or less, with the West line of Lot 41 to the Northeast corner of Lot 58; thence Westwardly 100 feet, more or less, with the North line of Lots 58 and 59 to the Southeast corner of Lot 44; thence Northwardly parallel with second line and with the East line of said Lot 44, 167 feet, more or less, to the point of BEGINNING on Grant Avenue.

Together with and subject to a one-half interest in the well located on the dividing line between Lots 41 and 42, as referred to in Deed Book 316, page 308, in the Register's Office for Knox County, Tennessee.

There is excepted herefrom that part of Lots 42 and 43 north of the fence which divide said Lots 42 and 43.

BEING a portion of the same property conveyed to Willard Smith and wife Anna M. Smith, by deed dated June 15, 1977, from Doris Davis Blanchard and husband, Merritt P. Blanchard, of record in Deed Book 1612, page 774, in the Register's Office for Knox County, Tennessee.



TRACT 10

SITUATE in the 5th (formerly 8th) Civil District of Knox County Tennessee and within the 24th Ward of the City of Knoxville Tennessee, being known and designated as all of Lot 41, Sprankle's West End Addition, according to the map of the same of record in Map Book 4, page 17, in the Register's Office for Knox County Tennessee, said lot has a frontage of 50 feet on the south side of Vandeventer Avenue and extends back southerly between parallel lines, 150 feet.

There is excepted herefrom that part of Lot 41 north of the fence which divides said Lot 41.

BEING a portion of the same property conveyed to Willard Smith and wife Anna M. Smith, by deed dated October 21, 1970, from Pearl C Ownby, widow of R.M. Ownby, of record in Deed Book 1472, page 097 in the Register's Office for Knox County, Tennessee.

This conveyance is made subject to all applicable restrictions building set-back line, and all existing easements of record, and to all conditions as shown on the recorded map for said property

The above description is the same as the previous deed of record no boundary survey having been made at the time of this conveyance.

TRACT 11

SITUATED in the Fifth Civil District of Knox County, Tennessee, and within Ward 24 of the City of Knoxville, being a portion of Seaman Street as closed by Ordinance 0-13-85 and being more fully described as follows:

BEGINNING at the point of intersection of the east right of way line of Seaman Street and the north right of way line of McElroy Avenue; thence S 58 degs. W, along the northwest right of way line produced of McElroy Avenue and parallel to the centerline of the Southern Railway right of way, approximately 20.8 feet to a point, thence N 9 degs. 12' W along the centerline of Seaman Street, approximately 110.9 feet to a point; thence N 74 deg. 51' E along the south right of way line produced of McElroy Avenue, approximately 20 feet to a point on the east right of way line of Seaman Street; thence S 9 deg. 12' E along the east line of Seaman Street, approximately 107 feet to the point of beginning.

Easements 10 feet in width, 5 feet on either side of the centerline of the existing facilities are reserved for any and all utilities presently located within, or within 5 feet of, the above described tract.

Reference is mad to Map B-6092 on file in the Department of Engineering.

BEING the same property conveyed to Willard R. Smith, by deed dated August 11, 1987, from the City of Knoxville, of record in Deed Book 1928, page 1113, in the Register's Office for Knox County, Tennessee.

TRACT 12

SITUATED in District 5 of Knox County, Tennessee, and within the 25th Ward of the City of Knoxville, and being a portion of McElroy Avenue as closed by Ordinance 0-119-86.

Beginning at a point on the northwest right of way line of McElroy Avenue, said beginning point beginning located approximately 146 feet southwest of the point of intersection of the northwest right of way line of McElroy Avenue and the southwest right of way line of Emmitt Street, and said beginning point also being a common corner between Lots 49 and 50 of Sprankle's West End Addition as



shown on Map B-6075 on file in the Department of Engineering, thence southeasterly along the dividing line produced between lots 49 and 50 approximately 30 feet to a point on the northwest right of way line of the Southern Railway; thence southwesterly along the northwest right of way line of the Southern Railway approximately 628.5 feet to a point; thence northwesterly along the southwest right of way line produced of Seaman Street (now closed) approximately 30 feet to a point; thence northeasterly along the northwest right of way line of McElroy Avenue approximately 628.5 feet to the point of beginning.

Easements 10 feet in width, 5 feet on either side of the center line of the existing facilities are reserved for any and all utilities presently located within or within 5 feet of the above described tract.

BEING the same property conveyed to Willard R. Smith, by deed dated March 10, 1987, from the City of Knoxville, of record in Deed Book 1910, page 0163, in the Register's Office for Knox County, Tennessee.

TRACT 13

SITUATED in District No. Five (5) of Knox County, Tennessee, within the Twenty-Fourth Ward of the City of Knoxville, and being a portion of McElroy Avenue as closed by Ordinance No. 0-81-87 and being more particularly described as follows:

BEGINNING at the point of intersection of the north right of way line of McElroy Avenue and the west right of way line of Emmett Street, said beginning point also being the southeast corner of Lot 47 of B.H. Sprankle's West End Addition as shown on Map B-6075 on file in the Department of Engineering; thence southerly along the west line produced of Emmett Street approximately 30 feet to a point; thence southwesterly along a line approximately 30 feet to a south of the north right of way line of McElroy Avenue and with the right of way line of Southern Railway, approximately 146 feet to a point; thence northerly crossing McElroy Avenue along a line defined in Ordinance 0-119-86, which closed a portion of McElroy Avenue, approximately 30 feet to a point on the north right of way line of McElroy Avenue; thence northeasterly along the north right of way line of McElroy Avenue approximately 146 feet to the point of beginning.

Easements 50 feet in width, 25 feet on either side of the centerline of the overhead electric transmission lines, are reserved for KUB Bureau of Power; an easement 20 feet in width, 10 feet on either side of the existing facility, is reserved for KUB Bureau of Water; easements 10 feet in width, 5 feet on either side of the centerline of the existing facilities, are reserved for any and all other utilities presently located within, or within 5 feet of the above described tract.

BEING the same property conveyed to Willard R. Smith, by deed dated June 16, 1987, from the City of Knoxville, of record in Deed Book 1919, page 0348, in the Register's Office for Knox County, Tennessee.

TRACT 14

SITUATED in the Fifth Civil District of Knox County, Tennessee, and within Ward 24 of the City of Knoxville, being a portion of Seaman Street as closed by Ordinance No. 0-13-85 and being more particularly described as follows:

BEGINNING at the point of intersection of the east right of way line of Seaman Street and the north right of way line of McElroy Avenue; thence S 58 degrees 00' W, along the northwest right of way line produced of McElroy Avenue and parallel to the centerline of the Southern Railway right of way, approximately 20.8 feet to a



point; thence N 9 degrees 12' W along the centerline of Seaman Street, approximately 110.9 feet to a point; thence N 74 degrees 51' E along the south right of way line produced of McElroy Avenue, approximately 20 feet to a point on the east right of way line of Seaman Street, thence S 9 degrees 12' E along the east line of Seaman Street, approximately 107 feet to the point of beginning.

Easements 10 feet in width, 5 feet on either side of the centerline of the existing facilities are reserved for any and all utilities presently located within, or within 5 feet of, the above described tract.

Reference is made to Map B-6092 on file in the Department of Engineering.

BEING the same property conveyed to Willard R. Smith, by deed dated August 11, 1987, from the City of Knoxville, of record in Deed Book 1928, page 1113, in the Register's Office for Knox County, Tennessee.



This transfer is by Quitclaim and we make no warranties about the title.

Witness our hands at Knoxville, Tennessee, this 15<sup>th</sup> day of November, 2005.

ESTATE OF WILLARD R. SMITH

By [Signature]  
Shirley Mullins, Co-Administrator and individually

By [Signature]  
Barbara Davenport, Co-Administrator and individually

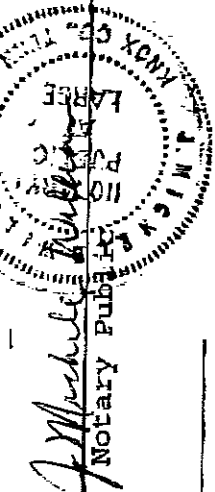
By [Signature]  
Billie K. Smith, Executrix of the Estate of Tommy E. Smith, Co-Administrator and individually

By [Signature]  
Linda F. Smith, Executrix of the Estate of Jack L. Smith, Co-Administrator and individually

STATE OF TENNESSEE )  
COUNTY OF KNOX )

Personally appeared before me, J. Michele Williams, a Notary Public of the state and county mentioned, Shirley J. Mullins, Co-Administrator and individually, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office, in Knoxville, TN this 15<sup>th</sup> day of November, 2005.

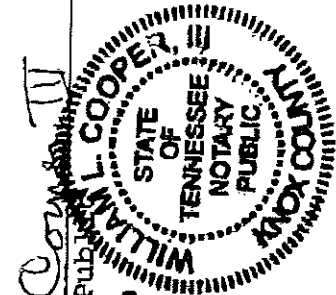


My commission expires 3/4/06

STATE OF TENNESSEE )  
COUNTY OF KNOX )

Personally appeared before me, Willie L. Cooper, III, a Notary Public of the state and county mentioned, Barbara Davenport, Co-Administrator and individually, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office, in Knoxville, TN this 27<sup>th</sup> day of February, 2005.



[Signature]  
Notary Public

My commission expires Feb. 8, 2009



Instr: 200602270071758  
PAGE: 6 OF 9

STATE OF TENNESSEE )  
 COUNTY OF KNOX )

Personally appeared before me, Carla B. Speck, a Notary Public of the state and county mentioned, Billie K. Smith, Executrix of the Estate of Tommy E. Smith, Co-Administrator and individually, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office, in Shelby, TN this 26<sup>th</sup> day of October, 2005.

Carla B. Speck  
 Notary Public

My commission expires My commission expires Oct. 11, 2008

STATE OF TENNESSEE )  
 COUNTY OF KNOX )

Personally appeared before me, J. Michele Williams, a Notary Public of the state and county mentioned, Linda F. Smith, Executrix of the Estate of Jack L. Smith, Co-Administrator, and individually the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office, in Memphis this 15<sup>th</sup> day of November, 2005.

J. Michele Williams  
 Notary Public

My commission expires 3/4/06

THE PREPARER OF THIS INSTRUMENT MAKES NO REPRESENTATION AS TO ANY ASPECT OF THE STATUS OF TITLE TO ANY PROPERTY DESCRIBED OR ALLUDED TO HEREIN. THIS INSTRUMENT HAS BEEN PREPARED SOLELY FROM INFORMATION FURNISHED THE PREPARER, WHO MAKES NO REPRESENTATION WHATSOEVER OTHER THAN THAT IT HAS BEEN ACCURATELY TRANSCRIBED FROM THE INFORMATION PROVIDED. IF THIS INSTRUMENT OR ANY PART OF IT IS TRANSCRIBED, COPIED, OR TRANSMITTED BY ANY MEANS, METHOD, OR MEDIUM, INCLUDING, BY WAY OF EXAMPLE AND NOT LIMITATION, SCANNING AND E-MAIL, IT MAY NOT BE ALTERED OR CHANGED IN ANY RESPECT BY OR FOR ANYONE WITHOUT THE EXPRESS, PRIOR CONSENT OF THE PREPARER IF WHEN IT IS USED, SENT OR RECEIVED, IT OR ANY OF IT IS ATTRIBUTED TO THE PREPARER ON ITS FACE OR OTHERWISE.

Pursuant to Tennessee Code Annotated Section 67-4-409(a) (3) (D) this instrument is exempt from tax. Further, pursuant to Tennessee Code Annotated Section 67-4-409(a) (5) the valuation oath is unnecessary.



