

THIS INSTRUMENT PREPARED BY
DOYLE ARP
ASSESSOR OF PROPERTY
LOUDON, TENNESSEE

Application No. 1399
County LOUDON

APPLICATION FOR APPROVAL OF LAND AS AGRICULTURAL LAND

The Agricultural, Forest and Open Space Land Act of 1976 provides, under appropriate circumstances, for the classification of certain lands as agricultural land. Upon classification as agricultural land, the value for ad valorem taxation must be determined upon present use value rather than a value that may include any other consideration.

If land is approved as agricultural land and the use of the land is converted to other uses, any taxes saved because of the agricultural classification shall become due and payable on the first tax roll following the conversion of the use. The amount to be due will be the tax saved during the last three years of agricultural classification.

In determining whether any land is agricultural land the county assessor of property shall take into account, among other things, the acreage of such land, the productivity of such land, and the portion thereof in actual use for farming. "Agricultural land" means a tract of land of at least fifteen (15) acres including woodlands and wastelands which form a contiguous part thereof, constituting a farm unit engaged in or held for the production or growing of crops, plants, animals, nursery, or floral products. "Agricultural land" means also two or more tracts of land including woodlands and wastelands, one of which is greater than fifteen (15) acres and none of which is not less than ten (10) acres and such tracts may not be contiguous but shall constitute a farm-unit being held and used for the production or growing of agricultural products.

STATE OF TENNESSEE }
COUNTY OF LOUDON } ss.

I, Charles E. Rutherford, Jr., the undersigned owner of agricultural land, request the Assessor of Property of LOUDON County to classify such land as Agricultural Land as defined by the Agricultural, Forest and Open Space Land Act of 1976, and assess such land on its use value rather than its market value. The following information is furnished in support of this application.

NAME: Charles E. Rutherford, Jr.
ADDRESS: Rt. 3, Lakewood Addition, Louisville, Pa. 31117
ADDRESS OF PROPERTY: Carpenter Road

Assessment Identification:

<u>03</u> District	<u>064</u> Map	<u> </u> Group	<u>064</u> Control Map	<u>10.00</u> Parcel
-----------------------	-------------------	----------------------	---------------------------	------------------------

1. Number of acres covered by this application: 120.71 ac.
2. Is the above described parcel a farm unit engaged in or held for the production or growing of crops, plants, animals, nursery or floral products? Yes () No ()

I affirm that information furnished on this application is true and accurate to the best of my knowledge and belief. I further affirm that if this land is classified as agricultural land and is later converted from agricultural use, I will notify the LOUDON County Assessor of Property of such conversion and will further comply with all provisions of this Act.

Charles E. Rutherford, Jr.
Signature of Applicant

3-31-84
Date

Subscribed to and sworn before me this 31st day of March

STATE OF TENNESSEE, LOUDON COUNTY REGISTER'S OFFICE
THIS INSTRUMENT RECEIVED AT 11:30 O'CLOCK A.M. OF THE 31 DAY OF MAR, 1984
ONLY CERTIFIED AND REGISTERED IN SAID OFFICE IN TEST BOOK NO 197 PAGE 453
AND NOTED IN BOOK NO m PAGE 128 STATE TAX PAID My Commission Expires:
FEE PAID 16.00 REGISTER

Phillip J. Brewster
Notary Public
NOTARY PUBLIC
STATE OF TENNESSEE
COMMISSION EXPIRES 12-31-84

This Instrument Prepared By:
Eugene R. McCullough, McCULLOUGH & REED
Attorneys at Law, 245 Lindsay Street
Alcoa, Tennessee 37701

RESTRICTIONS APPLICABLE TO THE PROPERTY

OF CHARLES EDGAR RUTHERFORD, JR.

WHEREAS, CHARLES EDGAR RUTHERFORD, JR. is the owner of a certain tract of real property located in the Third (3rd) Civil District of Loudon County, Tennessee, said real property being more particularly described in Warranty Deed Book Volume 139, page 514 in the Register's Office for Loudon County, Tennessee, and

WHEREAS, CHARLES EDGAR RUTHERFORD, JR. desires the above described property shall be subject to the following restrictions which are imposed to insure the orderly development of future tracts which shall be subdivided from the above described property and to further protect the future purchasers of said property and the undersigned from activities or improvements which would not enhance the property values of their land:

1. No building shall be erected, placed, altered or allowed to remain on said property until the building plans and specifications are approved in writing by the grantor herein. Said building plans and specifications must be approved by the grantor within fifteen (15) days after they are submitted in writing to the grantor. Failure to approve or disapprove said plans and specifications within said period shall be deemed an automatic approval and this requirement shall be deemed complied with.

2. No structures of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used or any tract at any time as a residence, ^{OR ATTENDANT STRUCTURE} either temporarily or permanently. *CEP*

This Instrument Prepared By:
Eugene R. McCullough
McCULLOUGH & REED, Attorneys
245 Lindsay Street, Suite 2
Alcoa, Tennessee 37701-2498

7192-353

RESTRICTIONS APPLICABLE TO SELECTED

TRACTS OF THE CHARLES EDGAR RUTHERFORD, JR. PROPERTY

WHEREAS, CHARLES EDGAR RUTHERFORD, JR. is the owner of a certain tract of real property located in the Third Civil District of Loudon County, Tennessee, said real property being more particularly described in Warranty Deed Book Volume 139, page 514 in the Register's Office for Loudon County, Tennessee, and

WHEREAS, CHARLES EDGAR RUTHERFORD, JR. has previously sold some of the aforescribed property and desires to sell further tracts of said property in the future and he intends for the development of said property to be restricted so as to enhance the value of all tracts sold including those portions of the aforescribed property which he intends to retain, and

WHEREAS, CHARLES EDGAR RUTHERFORD, JR. has previously restricted the aforescribed property by Restrictions of record in Trust Deed Book 181, page 747 in the Register's Office of Loudon County and he desires for other selected tracts to be imposed with these additional restrictions which will run with the land whenever he makes a conveyance of a portion of the aforescribed property and makes specific reference by book and page to these recorded restrictions.

WHEREFORE, to the extent any conveyance of any portion of the aforesaid real property by Charles Edgar Rutherford, Jr., makes specific reference to these restrictions, it is intended that these restrictions to be imposed thereon:

1. The building and review restriction contained in Trust Deed Book Volume 181, page 747 in the Loudon County Register's Office is hereby amended by these restrictions to provide that all permanent homes shall be deemed approved to the extent they meet the following conditions:

A. The property may be used for residential purposes only.

- B. Mobile homes, trailers and other removable or temporary buildings are expressly prohibited.
 - C. All such residential construction must have a minimum of 1200 square feet of heated ground level living area.
 - D. No portion of the structure may be used as a residence until same is fully constructed.
2. This property shall not be utilized to store any type of abandoned or disabled property, including, but not limited to, old cars or vehicles.
 3. Except to the extent specifically amended hereinabove all restrictions which are contained in Trust Deed Book Volume 181, page 747 in the Register's Office for Loudon County, Tennessee, shall continue in full force and effect.

WHEREFORE, PREMISES CONSIDERED, the undersigned executes this document on this 31st day of May, 1983, for the purposes herein contained.

Charles Edgar Rutherford, Jr.
 CHARLES EDGAR RUTHERFORD, JR.



STATE OF TENNESSEE)
) ss.
 COUNTY OF BLOUNT)

Personally appeared before me, the undersigned, a Notary Public in and for said County, the within named CHARLES EDGAR RUTHERFORD, JR., with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office this 31st day of MAY, 1983.

Mary Ommison
 NOTARY PUBLIC
 My Commission Expires: 9/7/84

STATE OF TENNESSEE, LOUDON COUNTY REGISTER'S OFFICE
 THIS INSTRUMENT RECEIVED AT 8:00 O'CLOCK AM OF THE 6 DAY OF June 1983
 FULLY CERTIFIED AND REGISTERED IN SAID OFFICE Trust BOOK NO. 192 PAGE 353
 AND NOTED IN BOOK NO. 77 PAGE 44 STATE TAX PAID \$ 6.00
 FEE PAID \$ 6.00

[Signature]
 REGISTER

ST
Prepared by Tennessee Valley Authority
Glenn G. Snow, Attorney
523 Lupton Building
Chattanooga, TN 37401

GRANT OF ROAD EASEMENT
TRACT TELCR-167

FOR AND IN CONSIDERATION of the sum of TWO THOUSAND SIX HUNDRED AND
NO/100----- Dollars (\$2,600.00),

cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

CHARLES E. RUTHERFORD, JR. and wife, ALICE P. RUTHERFORD

have this day bargained and sold and by these presents do hereby grant, bargain, sell, transfer, and convey unto the United States of America a permanent easement and right of way for the following purposes, namely: the perpetual right to enter at any time and from time to time and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a road or highway, together with such bridges, culverts, ramps, and cuts as may be necessary, over, upon, across, and under the land described in Exhibit A, hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

TO HAVE AND TO HOLD the said easement and right of way unto the United States of America and its assigns forever.

We covenant with the said United States of America that we are lawfully seized and possessed of said real estate, have a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We do further covenant and agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage caused by the exercise of any of the rights above described; EXCEPT that the United States of America shall remain liable for any damage to growing crops resulting from the construction of said road or highway.

Wherever the context hereof requires, the plural number as used herein shall be read as singular.

IN WITNESS WHEREOF, we have subscribed our names this the 31st day of March, 1975.

Charles E. Rutherford, Jr.
CHARLES E. RUTHERFORD, JR.
Alice P. Rutherford
ALICE P. RUTHERFORD

STATE OF TENNESSEE, COUNTY OF BLOUNT

Before me personally appeared CHARLES E. RUTHERFORD, JR. and wife, ALICE P. RUTHERFORD, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed and delivered the same as their free act and deed on the day and year therein mentioned.



WITNESS my hand and seal of office this 31st day of March, 1975.
John E. Gunn
Notary Public

My commission expires: 2-3-76

TRACT NO. TELCR-167

A strip of land for a road right of way located in the Third Civil District of Loudon County, State of Tennessee, on the right side of the Little Tennessee River, approximately 3-3/4 miles west of the Town of Greenback, as shown on a map prepared by the Tennessee Valley Authority and entitled "River Road Baker Creek to Sinking Creek," said strip lying on each side of the center line of a road relocation, the center line of the relocation and the boundaries of the strip being more particularly described as follows:

Beginning at a point where the center line of the relocation crosses the south line of the land of Charles Delaney et al, which is the north line of the land of Phil McCallom Hamilton, at survey station 232 + 36.5 on the center line of the relocation, said survey station being S. 75° 01' W., 12.8 feet from a point in the center line of an existing road, at a corner of the lands of Charles Delaney et al and Phil McCallom Hamilton, at the intersection of the south and east lines of the land of Charles Delaney et al, and being N. 75° 01' E., 28.7 feet from a corner of the lands of Charles Delaney et al, Phil McCallom Hamilton, and Mrs. R. H. Bell, at the intersection of the south and southwest lines of the land of Charles Delaney et al, the strip being bounded on the south by the south line of the land of Charles Delaney et al, on the east by the center line of the existing road, which is the east line of the land of Charles Delaney et al and the west line of the land of Phil McCallom Hamilton, and on the west side of the center line of the relocation by a line described as follows: Beginning at the above mentioned corner of the lands of Charles Delaney et al, Phil McCallom Hamilton, and Mrs. R. H. Bell; thence with the southwest line of the land of Charles Delaney et al, which

is the northeast line of the land of Mrs. R. H. Bell, N. 52° 29' W., 354.8 feet to a point; thence, leaving the property line, N. 39° 03' E., 36.8 feet to a point; thence S. 50° 57' E., 77.7 feet to a point; thence with a line 35 feet north of and parallel to an 18 degree curve on the center line of a side road location, as it curves to the left in an easterly direction, 163.2 feet (long chord bearing and distance being S. 67° 26' 55" E., 160.9 feet) to a point 70 feet west of and opposite survey station 233 + 67.2 on the center line of the relocation on the line ahead; thence from survey station 232 + 36.5 with the center line of the relocation N. 3° 08' 00" W., 130.7 feet to the above mentioned survey station 233 + 67.2 opposite which the strip becomes bounded on the west side by a line 70 feet west of and parallel to the center line of the relocation; thence continuing with the center line of the relocation N. 3° 08' 00" W., 22.8 feet to a point where the center line of the relocation crosses the center line of the existing road, which is the east line of the land of Charles Delaney et al and the west line of the land of Phil McCallom Hamilton, at survey station 233 + 90; thence, leaving the land of Charles Delaney et al, continuing with the center line of the relocation N. 3° 08' 00" W., 510 feet to a point where the center line of the relocation recrosses the center line of the existing road and said east property line at survey station 239 + 00; thence, reentering the land of Charles Delaney et al, continuing with the center line of the relocation N. 3° 08' 00" W., 250 feet to survey station 241 + 50, said survey station being 70 feet east of and opposite a point where the strip becomes bounded on the west by a line that extends on a bearing of N. 05° 59' 40" W. for a distance of 200.2 feet to a point 80 feet west of and opposite survey station 243 + 50 on the line ahead; thence from survey station 241 + 50 continuing with the center line of the relocation N. 3° 08' 00" W., 200 feet to the above mentioned survey station 243 + 50 opposite which the strip becomes bounded on the west by a line 80 feet west of and parallel to the center line of the relocation;

thence continuing with the center line of the relocation N. 3° 08' 00" W., 250 feet to survey station 246 + 00, said survey station being 80 feet east of and opposite a point where the strip becomes bounded on the west by a line that extends on a bearing of N. 00° 40' 50" E. for a distance of 150.3 feet to a point 70 feet west of and opposite survey station 247 + 50 on the line ahead; thence from survey station 246 + 00 continuing with the center line of the relocation N. 3° 08' 00" W., 150 feet to the above mentioned survey station 247 + 50, said survey station being 70 feet east of and opposite a point where the strip becomes bounded on the west by a line that extends on a bearing of N. 03° 31' 50" W. for a distance of 833.7 feet to its intersection with the north line of the land of Charles Delaney et al; thence from survey station 247 + 50 continuing with the center line of the relocation N. 3° 08' 00" W., 250 feet to a point where the center line of the relocation recrosses the center line of the existing county road and said east line of the land of Charles Delaney et al at survey station 250 + 00; thence, leaving the land of Charles Delaney et al, continuing with the center line of the relocation N. 3° 08' 00" W., 370 feet to a point where the center line of the relocation recrosses the center line of the existing county road and said east property line at survey station 253 + 70; thence, reentering the land of Charles Delaney et al, continuing with the center line of the relocation N. 3° 08' 00" W., 160.2 feet to survey station 255 + 30.2, said survey station being 6.5 feet west of and opposite a point in the center line of the existing road at Corner No. 6-71, a corner of the land of Charles Delaney et al, US-TVA Tract No. TELR-612 (Charles Delaney et al), US-TVA Tract No. TELR-614 (H. C. Greenway Heirs), and the land of Phil McCallom Hamilton, at the intersection of the east and north lines of the land of Charles Delaney et al, where the strip becomes bounded on the north by the north line of the land of Charles Delaney et al, which is the south line of Tract No. TELR-612; thence continuing with the center line of the relocation N. 3° 08' 00" W., 4.2 feet

to a point where the center line of the relocation crosses the said north line of
the land of Charles Delaney et al, which is the south line of Tract No. TELR-612, /
at survey station 255 + 34.4,
said point being N. 60° 05' W., 7.7 feet from Corner No. 6-71, the above mentioned
corner of the land of Charles Delaney et al, Tract No. TELR-612, Tract No. TELR-614,
and the land of Phil McCallom Hamilton; thence, leaving the land of Charles Delaney
et al, continuing with the center line of the relocation N. 3° 08' 00" W., 49.3 feet
to survey station 255 + 83.7, said survey station being 75.8 feet east of and
opposite Corner No. 6-72 where the strip terminates at the above mentioned inter-
section of the line that extends on a bearing of N. 03° 31' 50" W. with the north
line of the land of Charles Delaney et al.

The above described strip of land is a continuous right of way through the
said property between the above named boundary lines and contains 4.3 acres,
more or less.

Furthermore, the right to construct a farm entrance within an area lying west
of and adjacent to the west right of way line of the relocation at or near survey
station 247 + 00, the area extending approximately 60 feet in a westerly direction
and having a width of approximately 45 feet.

The above described easement is subject to such rights as may be vested in
the county to rights of way for roads.

The previous and last conveyances of this property are deeds of record in Deed
Book 116, page 21, and Deed Book 106, page 56, in the office of the Register of
Loudon County, Tennessee.

STATE OF TENNESSEE, LOUDON COUNTY REGISTER'S OFFICE

THIS INSTRUMENT RECEIVED AT 1:35 O'CLOCK P. M. OF THE 1 DAY OF APRIL 19 75

DULY CERTIFIED AND REGISTERED IN SAID OFFICE IN DEED BOOK NO. 119 PAGE 933

AND NOTED IN BOOK NO. J PAGE 210 STATE TAX PAID \$ exempt

Rec'd 310.00 REGISTER

937