

Land Description (0.04 Acre Surveyed Tract)

Part of the Former Miles Evers property in Lincoln County, Tennessee being more particularly described as follows:

Commencing at the intersection of the south line of said Miles Evers property with the West line of the old State Road (also known as Lunar Lake Lane); thence South 90 degrees 00 minutes 00 seconds West along said Evers south line 165.00 feet; thence North 00 degrees 00 minutes 00 seconds East 45.00 feet; thence North 90 degrees 00 minutes 00 seconds East along the South line of lands described in a deed to Jesse and Melinda Harper as recorded in Instrument Number 2012-332 in the Office of the Lincoln County Register of Deeds 31.00 feet; thence North 00 degrees 00 minutes 00 seconds East 10.00 feet to the Point of Beginning marked by an iron stake with plastic cap stamped "Mann Surveying"; thence North 00 degrees 00 minutes 00 seconds East a distance of 45.00 feet to the Northwest corner of the lands of John and Anna Richards as described in Instrument Number 2001-7110 witnessed by an iron with plastic cap stamped "Mann Surveying" 0.70 feet south of corner; thence North 90 degrees 00 minutes 00 seconds East on and along the north line of aforementioned land a distance of 35.74 feet to a point witnessed by an iron stake with plastic cap stamped "Mann Surveying" 3.00 feet south of corner; thence South 00 degrees 00 minutes 00 seconds West a distance of 45.00 feet to an iron stake with plastic cap stamped "Mann Surveying" on the north line of the aforementioned lands described in a deed to Jesse and Melinda Harper; thence South 90 degrees 00 minutes 00 seconds West a distance of 35.74 feet to the Point of Beginning, containing 0.04 acres, more or less.

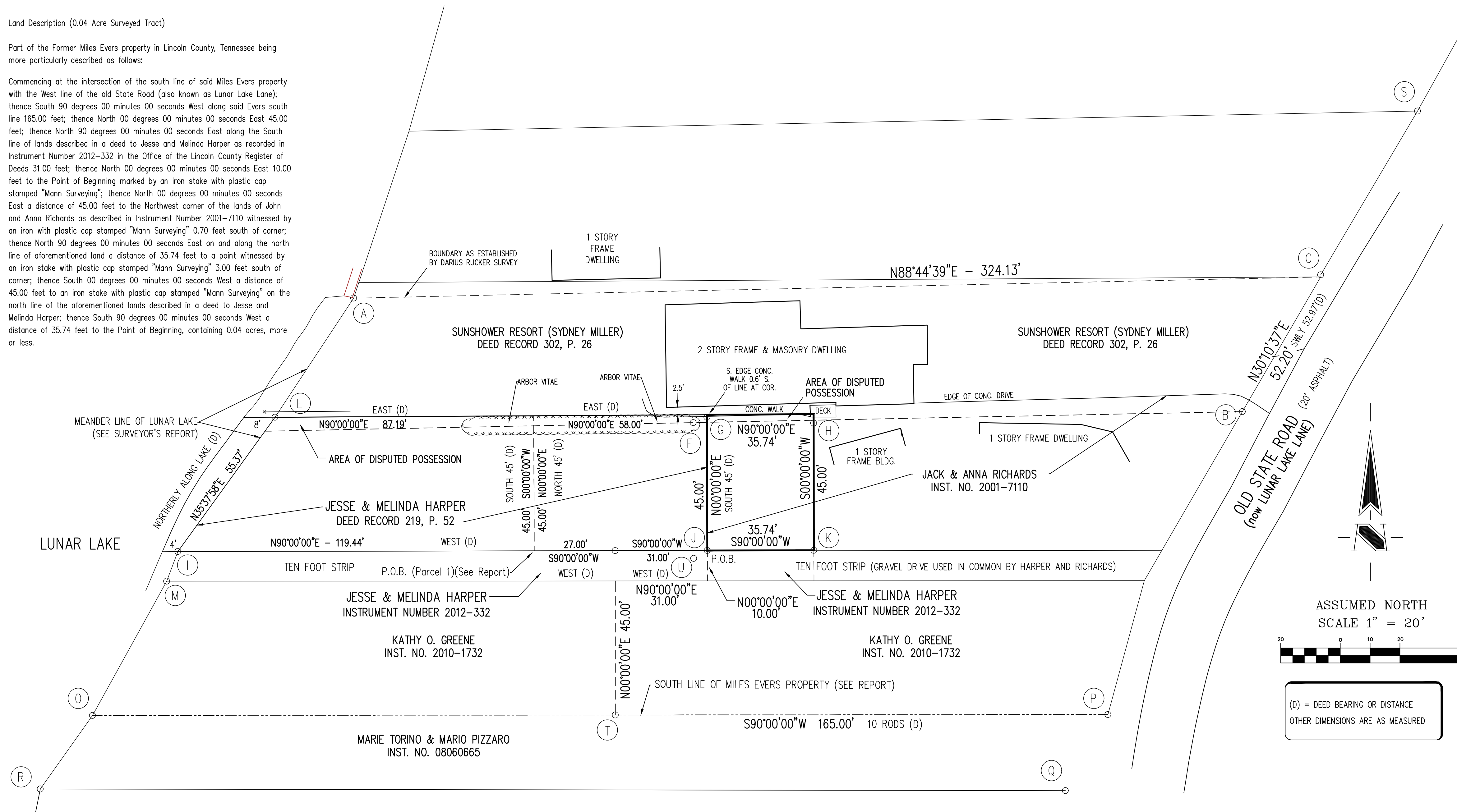


TABLE OF MONUMENTS (SEE SURVEYORS REPORT)

A	3/4" IRON PIPE FOUND 0.3' DOWN (REPORTED BY RAY CHARLES AND DARIUS RUCKER)
B	5/8" REBAR FOUND FLUSH (HELD BY RAY CHARLES AND DARIUS RUCKER)
C	1" PIPE FOUND (REPORTED AT CORNER BY RAY CHARLES AND DARIUS RUCKER)
E	5/8" REBAR W/MANN SURVEYING CAP SET
F	1/2" IRON PIPE FOUND 0.5' DOWN, 2.0' SOUTH & 4.9' WEST OF CORNER (HELD BY DARIUS RUCKER, REPORTED BY RAY CHARLES, REPORTED AS "IRON STAKE" BY WOODY GUTHRIE.)
G	5/8" REBAR W/MANN SURVEYING CAP SET 0.7' SOUTH OF CORNER
H	5/8" REBAR W/MANN SURVEYING CAP SET 3.0' SOUTH OF CORNER (DECK EXTENDS 1.2 FEET SOUTH OF LINE)
I	5/8" REBAR W/MANN SURVEYING CAP SET
J	5/8" REBAR W/MANN SURVEYING CAP SET
K	5/8" REBAR W/MANN SURVEYING CAP SET
M	REBAR W/CHARLES SURVEYING CAP IN CONCRETE FOUND FLUSH
Q	1/2" IRON ROD FOUND FLUSH (HELD BY RAY CHARLES AND JIM BRICKMAN)
P	3/4" IRON PIPE FOUND FLUSH (REPORTED BY RAY CHARLES, JIM BRICKMAN AND DARIUS RUCKER). APPARENT FLAGSTONE AND 5/8" REBAR W/CHARLES SURVEYING CAP FOUND IN CLOSE PROXIMITY.
Q	REBAR W/CHARLES SURVEYING CAP FOUND FLUSH
R	3/4" IRON PIPE FOUND FLUSH
T	TRIANGULAR PLASTIC STAKE FOUND 0.1' E AND 0.2' S OF CORNER
U	IRON PIPE FOUND 1.8' SOUTH AND 2.9' WEST OF CORNER (HELD BY DARIUS RUCKER, REPORTED AS "IRON STAKE" BY WOODY GUTHRIE)

Surveyor's Report

PURPOSE OF THIS SURVEY

The purpose of this survey is to retrace and establish the boundaries of a tract of land owned by Jack and Anna Richards as recorded in Instrument Number 2001-7110 for purposes of an anticipated conveyance to their westerly adjacers Jesse and Melinda Harper.

One of the previous surveys (by Woody Guthrie) depicts a ten foot wide gap in title southerly of and adjoining to the Harper tract. The Guthrie survey indicates that the ten foot wide area is an "easement."

Another previous survey (by Ray Charles) depicts the ten foot wide strip[as being a "hiatus."

More recently, a title search was completed by the Happy Abstract Company and it was determined that written title to the ten foot wide strip ownership was with the heirs of a previous owner of the parent 10 acre parcel (Miles and Sarah Evans). On April 6, 2009 a quitclaim deed was executed by Steven Evans (survivor of Miles and Sarah Evans) to Jack and Anna Richards; however, the title search also revealed several historical documents that included "a ten foot easement" to the shore of Lunar Lake.

Most recently Jack and Anna Richards conveyed a portion of that 10 foot strip to Jesse and Melinda Harper by virtue of Instrument number 2012-332.

[Surveyors Report continued from previous column]

REFERENCE INFORMATION UTILIZED THIS SURVEY

No survey was found establishing the original south line of the former Miles Evers property in the various relevant offices of Lincoln County.

A survey of the property now in title to Kathy Greene completed by Gilbert O'Sullivan dated September 12, 1962 depicts the south line of the Miles Evers property as being established and monumented from points east and running west to the east shore of Lunar Lake. This survey was found in the records of Lincoln County.

A retracement survey of the property now in title to Harper completed by Woody Guthrie and dated April 26, 1967 depicts the Miles Evers south line as being established from monumentation found in accordance with the Gilbert O'Sullivan survey. The Guthrie survey additionally depicts the boundaries of the subject tract as being established north of and parallel with the Evers south line. The Woody Guthrie survey was provided by the client.

A retracement survey of the property now in title to Kathy Greene completed by Ray Charles dated November 6, 1997 further supports the previously established location of the Evers south line, which was used as the basis in establishing the boundaries of the adjacent tracts.

A retracement survey of the property now in title to Jack and Anna Richards completed by Darius Rucker dated May 5, 2004 additionally supports the previously established location of the Evers south line utilized on all of the above-referenced surveys. This survey is recorded as Instrument Number 2004-5207 in the Office of the Lincoln County Register of Deeds.

A retracement survey of the property now in title to Scheffler (being the property south of the Kathy Greene property) completed by Jim Brickman dated April 25, 2007, further supports the above referenced surveys. It perpetuated the Evers south line by holding a 3/4 inch iron pipe situated at the intersection of the west right of way line of Lunar Lake Drive and running west to a half inch iron rebar stake near the shore of Lunar Lake.

AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS

The lines and corners of the subject tract were established from monumentation found on the ground, in this surveyor's opinion, consistent with various deed records in the immediate vicinity.

[Surveyors Report continued from previous column]

The south line of the Miles Evers property which was the basis of the east-west boundaries was described on the Jim Brickman survey as being marked by a 3/4 inch iron pipe found on the west side of a concrete post along the westside of the old State Road. This pipe was recovered and a flagstone and 3/8 inch rebar with a "Charles Surveying" cap were found in close proximity. However, the stone was questionable in material and type and appeared that it could have been a landscaping stone. The "CHARLES SURVEYING" rebar was within 0.1 feet north-south of the Evers south line perpetuated on all of the previous surveys.

The Jim Brickman survey also depicted that a stone at what he purports was the southeast corner of the Miles Evers property was recovered and, together with a one-half inch rebar situated near the shore of Lunar Lake, held as a basis in the establishment of the south line of Miles Evers. The 3/4 inch iron pipe described above fell on this line.

For purposes of this survey, it was decided to hold the 3/4 inch diameter pipe at the west right of way line of Lunar Lake Drive and the half inch diameter iron rebar near the shore line of Lunar Lake to define the east-west half quarter line. Variances of 0.1 to 1.0 feet north-south were observed between the stone, the Charles Surveying rebar and the Miles Evers line as established.

There was a plastic triangular stake found buried 0.5 feet in the proximity of the intersection of the east-west half section line and 165.00 feet west of the 3/4 inch iron pipe at the west right of way line of Lunar Lake Drive. Variances of 0.1 feet east-west and 0.2 feet north-south were observed in the location of this plastic stake.

Two "CHARLES SURVEYING" capped rebars found along the south line of the 10 foot wide strip were found to be within the relative positional accuracies as shown on the Ray Charles survey and in accordance with the historical record documents.

Two iron pipes were found west of the east boundary of the Harper tract as noted on the Darius Rucker survey. The pipes did not fit the historical record document description as depicted on the within plat. The southeast pipe fell 1.8 feet south and 4.9 feet west of the record corner location. The northeast pipe fell 2.0 feet south and 4.9 feet west of the record corner location. Both are shown on the within plat. It is apparent that the Darius Rucker survey merely held existing monumentation and adjusted the record bearings and distances to "best fit" the monuments. The previously mentioned Woody Guthrie survey depicted both of these pipes as being "iron stakes found and checked" and not iron pipes that he depicted as being set on the two westerly corners of the (now Harper) property.

OCCUPATION OR POSSESSION LINES

Several improvements were located along the boundaries of the northerly adjoining tract (the Sunshower property) and it is apparent that the monumented boundary shown on the Darius Rucker survey substantially agrees with the northerly neighbor's improvements; however, does not coincide with the record document description. These improvements are dimensioned to the established boundary as noted on the within plat.

The common access to the Harper property is over and across the 10 foot wide strip now owned by Richards. Verbal statements by both the Harpers and Mr. Richards indicated no dispute as to the fact that access has existed in this manner for a number of years and that the strip is currently being used by the Harpers to access their property. Access by other adjacent tracts as described in the title search was not substantiated this survey.

CLARITY OR AMBIGUITY OF THE RECORD DESCRIPTIONS USED AND OF ADJOINERS' DESCRIPTIONS AND THE RELATIONSHIP OF THE LINES OF THE SUBJECT TRACT WITH ADJOINERS' LINES

The record description for the westerly of the two Harper tracts appears to be missing a lead-in course from the point of commencement of west 27 feet to the point of beginning. The intent of the description, however, is clear given the rest of the description and the description of the easterly of the two Harper tracts.

The rest of the record document descriptions for the adjoining tracts are consistent with no apparent gaps or gores in title, with the exception of the description for the ten foot wide strip that was recently recorded on April 6, 2009.

The record description for that strip apparently created gaps or gores in title along the northerly boundary. The monuments situated southerly of the historical record document corner locations were held as controlling evidence in the description which created the gaps as noted above and depicted by the hatched area on the within plat.

THEORY OF LOCATION

The theory of location was based on the perpetuated location of the east-west half section line by common report that spans a period of time since 1962. The same monumented line was apparently the basis for several subsequent surveys, including the Darius Rucker survey for the easterly adjoining tract. The perpetuated east-west half section line was held as controlling evidence and used as the basis of the survey.

It is my opinion that the uncertainties in the locations of the corners established this survey are as follows:

- Northwest corner: 2.0 feet north-south and 4.9 feet east-west
- Southwest corner: 1.8 feet north-south and 2.9 feet east-west
- Northeast corner: 1.2 feet north-south

Certificate of Survey

To the best of my knowledge and belief the within plat represents a survey made under my supervision on July 14, 2014.

Peyton Mann
Professional Surveyor #0000
July 16, 2014

LEGEND

- INLET OR CATCH BASIN
- TELEPHONE MANHOLE
- WATER MANHOLE
- AREA LIGHT
- UTILITY POLE WITH GUY WIRE
- UTILITY POLE WITH RISER
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- HYDRANT
- WELL
- WATER VALVE
- WATER METER
- GAS VALVE
- GAS METER
- SIENS
- MAILBOX
- TREE, SHRUB
- BENCHMARK
- SOIL BORING

OVERHEAD UTILITY LINES
UNDERGROUND TELEVISION
UNDERGROUND ELECTRIC
UNDERGROUND TELEPHONE
UNDERGROUND FIBER OPTIC
UNDERGROUND GAS LINE
UNDERGROUND WATER LINE
UNDERGROUND STORM SEWER
UNDERGROUND SANITARY SEWER
EDGE OF WOODS
FENCE LINE
FLOW LINE



**BOUNDARY SURVEY
RETRACEMENT
180 LUNAR LAKE DRIVE**
BLUE WING, TENNESSEE

JESSE & MELINDA HARPER
180 LUNAR LAKE DRIVE, BLUE WING, TENNESSEE

DATE: 07/16/2014 PROJECT NO.: 2586.001
DRAWN BY: PM CHECKED BY: GRK
REVISIONS:
DRAWING FILES:
T:\24\2586\001\Seminar\MockTrial\Tennessee\
SHEET NO.: ONE