

April 3, 2023

Re: Dockery Auction
3450 River Pointe Cedar Bluff, AL 35959, Cherokee
Our File #: 23-0093

TITLE OPINION LETTER

This is to certify that I have this day made a careful examination of that certain title, and extending back thirty years prior to the date thereof and covering public records which pertain to the surface estate of that certain land and property lying and being situated in Cherokee County, Alabama and being more particularly described as follows:

Lot Number 15 of RIVER BEND ESTATES, PHASE II, according to the map or plat thereof appearing of record in Plat Book 10, at page 79, Probate Office, Cherokee County, Alabama.

For the consideration aforesaid there is also granted to the herein names grantees the nonexclusive right to use the common area, private drives and the rights of way of the same, as shown on the above described map or plat.

For the same consideration as aforesaid, the Grantors herein names do grant, bargain, sell and convey to the Grantees herein names, a 1/27th interest in the common area, private drives and rights of way shown on the map or plat appearing of record in Plat Book 10, at page 79, Probate Office, Cherokee County, Alabama, said 1/27th interest is conveyed subject to the nonexclusive rights of the owners of the remaining 26 lots shown on the said plat to use said common area, private drives and right of way for ingress, egress, utility access and access to the lake. It is the intent of the Grantors herein that the 1/27th interest hereby conveyed run with, and be a part of, the above described tract, so that whoever shown the above described tract should also own the said 1/27th interest in the said private drives and rights of way.

RESERVATIONS & EXCEPTIONS

1. Said lot is conveyed subject to existing easements and rights of way for roadways and utility easements.
2. Said lot is conveyed subject to the right of Alabama Power Company, a corporation, to flood, cover or surround with water from time to time that portion of said lands which would either be covered with or which either alone or together with other lands would be entirely surrounded by waters of the Coosa River or its tributaries should such river or its tributaries be raised and backed up to that certain datum plane of 573 feet above mean sea level as established by the U.S. Coast and Geodetic Survey as adjusted in January 1955, together with rights of ingress and egress over and across such lands. The easement acquired by Alabama Power Company prevents the erection of any habitable structures or structures to house livestock, the installation of

any sewerage disposal facilities, or the disturbance of the lands lying below the said 575 feet contour line.

3. Said lot is conveyed subject to the protective covenants and restrictions appearing of record in Deed Book A167, at page 100, Probate Office, Cherokee County, Alabama.
4. Said lot is conveyed subject to the easements and restrictions appearing on the above described map or plat of RIVER BEND ESTATES, PHASE II.
5. A portion of Lot 15 of RIVER BEND ESTATES, PHASE II according to the plat appearing of record in Plat Book 10, at page 79, Probate Office, Cherokee County, Alabama being more particularly described as follows:
Commencing at a ½ inch re-bar lying on the 565 contour of Weiss Lake and marking the Northeast Corner of said Lot 15, and the Point of Beginning: thence South 53 degrees 07 minutes 35 seconds East, with and along the Northeastern boundary line of said Lot 15, a distance of 224.46 feet to a ½ inch re-bar lying on the cul-de-sac of a private road and marking the Southeast Corner of said Lot 15; Thence North 64 degrees 01 minutes 44 seconds West, a distance of 235.28 feet to a ½ inch re-bar with a cap #22088 lying on the 565 contour of Weiss Lake, thence North 45 degrees 16 minutes 49 seconds East, with and along said contour a distance of 44.98 feet to the Point of Beginning; said described tract containing 0.11 acres, more or less.

The above described tract is subject to a drainage easement 10 feet wide running with and along the Southwest boundary line of said tract.

Upon said examination, it is my opinion that on this date, fee simple title to the above property is vested in Ronald M. Dockery and Donna K. Dockery.

Taxes for the above described property were exempt for the 2022 tax year for Ronald and Donna Dockery. Tax parcel is 13-10-09-32-0-000-001.028.

There is one outstanding mortgage:

- 1.) Mortgage granted by Ronald M. Dockery and Donna K. Dockery to Trustmark National Bank in the principal amount of \$ [REDACTED] dated November 30, 2021 and filed for record on December 2, 2021 at Instrument Number 221633 in the Probate Office of Cherokee County, Alabama.

There are no outstanding liens:

The liability of this report is limited to the consideration paid for said report. If you need anything further, please contact my office at the number listed above.

Yours truly,



J. Shane Givens
JSG/eds