

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
 )  
 Petitioner, )

v. )

No. \_\_\_\_\_

ALL INTERESTED PERSONS HAVING )  
 ANY RIGHT OR EASEMENT OR OTHER )  
 INTEREST, RIGHT IN, OR INCIDENT OR )  
 APPURTENANT TO CERTAIN HUMAN )  
 REMAINS LOCATED ON A PORTION OF )  
 THE PROPERTIES IDENTIFIED AS TAX )  
 MAP 051 PARCEL 00500, TAX MAP 051 )  
 PARCEL 00700, AND TAX MAP 032 )  
 PARCEL 02000, RUTHERFORD COUNTY )  
 TAX ASSESSOR'S OFFICE, )

Defendants. )

**PETITION TO RELOCATE REMAINS AND TERMINATE BURIAL GROUND**

Pursuant to Tenn. Code Ann. § 46-4-101, Petitioner, Lennar Homes of Tennessee, LLC (the "Lennar"), requests that this Court enter an order permitting Lennar to have certain human remains removed and relocated. Lennar further requests that the Court enter an order terminating the use of, and all rights and easements to use, the properties described below as a burial ground. In support of this Petition, Lennar alleges the following:

**PARTIES, JURISDICTION, AND VENUE**

1. Lennar is the owner of properties located in Rutherford County, Tennessee, conveyed to Lennar by specialty warranty deed in Record Book 1971, Pages 3974-89 and by quitclaim deed in Record Book 1971, Pages 3990-96 in the Register's Office for Rutherford County, Tennessee (collectively, the "Property") and depicted in the attached boundary surveys. See **Collective Exhibit 1**, Special Warranty Deed and Quitclaim Deed and **Collective Exhibit 2**, Boundary Surveys. See also **Exhibit 3**, Affidavit of Kevin Sturgill ("Sturgill Aff."), ¶ 4.

2. Five known defendants (the “Known Defendants”), are “Interested Persons” as defined in Tenn. Code Ann. § 46-4-102: (1) Carol Lannom Vincion, 1571 Underwood Road, Mt. Juliet, TN 37122; (2) Myrtle Jean Chaffin, 1107 Clark Street, Old Hickory, TN 37138; (3) Belinda Verlin Martin, 10 Hattie Drive, Fayetteville, TN 37334; (4) Hollis G. Guthrie, 241 McClaran Place, Murfreesboro, TN 37129; and (5) Marsha Wood, 233 Water Mill Road, # 57, Cowpens, SC 29330. Known Defendants consent to the relief requested in this Petition and have waived formal service of process. See Exhibits 4--8, Affidavits of Carol Lannom Vincion, Myrtle Jean Chaffin, Belinda Verlin Martin, Hollis G. Guthrie, and Marsha Wood.

3. The remaining Defendants are unknown and not ascertainable upon diligent inquiry (the “Unknown Defendants”; Known Defendants and Unknown Defendants are collectively referred to as “Defendants”). As a result, Lennar requests the issuance of an Order of Publication pursuant to Tenn. Code Ann. § 21-1-204 and § 46-4-103(b).

4. An exact copy of this Petition is being served on the Tennessee historical commission in accordance with Tenn. Code Ann. § 46-4-103(c).

5. Jurisdiction is proper in this Court pursuant to Tenn. Code Ann. § 16-11-102(a).

6. Venue is proper in this Court pursuant to Tenn. Code Ann. § 46-4-103 and § 15-11-114 because the Property is located within Rutherford County.

### **FACTUAL BACKGROUND**

7. During the course of site preparation work for a residential development on the Property, Lennar identified several marked and unmarked graves on the Property (the “Burials”). See Exhibit 3, Sturgill Aff., ¶ 5.

8. The individuals who are known to be buried on the Property and their nearest relatives, identified as Known Defendants, are referenced below:

<u>Deceased</u>	<u>Known Defendants</u>
Fannie Holland (3/11/1881—4/28/1889)	Vincion (great-niece), Chaffin (great-niece), Martin (great-niece), Guthrie (great-nephew), Wood (great-niece)
Mary Holland Vincent (1/11/1877—7/5/1902)	Vincion (great-niece), Chaffin (great-niece), Martin (great-niece), Guthrie (great-nephew), Wood (great-niece)
William E. Holland (7/1850—8/18/1933)	Vincion (great-grandchild), Chaffin (great-grandchild), Martin (great-grandchild), Guthrie (great-grandchild), Wood (great-grandchild)
Clara Butts Holland (7/26/1859-4/16/1939)	Vincion (great-grandchild), Chaffin (great-grandchild), Martin (great-grandchild), Guthrie (great-grandchild), Wood (great-grandchild)
Eugenia Holland Verlin (1/17/1883—1/24/1962)	Vincion (grandchild), Chaffin (grandchild), Martin (grandchild), Guthrie (great-nephew), Wood (great-niece)
Mattie Holland Guthrie (3/14/1892—3/5/1965)	Vincion (great-niece), Chaffin (great-niece), Martin (great-niece), Guthrie (grandchild), Wood (grandchild)

See Exhibit 3, Sturgill Aff., ¶ 6; see also Exhibits 4--8, Affidavits of Carol Lannom Vincion, Myrtle Jean Chaffin, Belinda Verlin Martin, Hollis G. Guthrie, and Marsha Wood.

9. None of the Burials are Native American Indian human remains. *See* **Exhibit 3**, Sturgill Aff., ¶ 7.

10. Despite considerable time and effort directed at development alternatives to allow the Burials to remain undisturbed, Lennar has determined that the limited area within which to locate necessary developments requires Lennar to seek authority to remove and relocate the Burials. *See* **Exhibit 3**, Sturgill Aff., ¶ 8.

11. Pursuant to the Tenn. Code Ann. § 46-4-101, the Property is unsuitable for use as a burial ground and as a resting place for the Burials. Specifically, the planned construction activities and ultimate use of the Property in the area of the Burials is inconsistent with due and proper reverence or respect for the memory of the dead. *See* **Exhibit 3**, Sturgill Aff., ¶ 9.

12. Lennar has developed definite and appropriate arrangements for the disinterment, relocation, and reburial of the Burials and will proceed in accordance with all applicable laws, regulations and with due care, respect, and decency, and that suitable memorial or memorials will be erected at the place of reinterment. *See* **Exhibit 3**, Sturgill Aff., ¶ 10.

13. Specifically, Lennar has contracted with Clark Grave Vault and Thomas Bucher (Funeral Director), for the disinterment, relocation, and reburial of the Burials, which are being relocated to Maplevue Cemetery in Smyrna, Tennessee (the “Relocation Site”). *See* **Exhibit 3**, Sturgill Aff., ¶ 11.

14. In connection with the relocation of the Burials, and in accordance with Tenn. Code Ann. § 46-4-103(a)(2), Lennar further requests that this Court terminate the use of, and all rights and easements to use, the Property as a burial ground, and all rights and easements incident or appurtenant to the Property as a burial ground.

#### **PRAYER FOR RELIEF**

Lennar respectfully requests that the following relief be granted:

1. That notice be served on “Interested Parties” by Order of Publication to Unknown Defendants of the existence of the Burials;

2. That, after publication of notice as described above and following a hearing in this cause, the Court issue a Final Order that: (i) authorizes Lennar to remove the Burials and to rebury them at the Relocation Site in accordance with applicable law; (ii) terminates the use of the Property as a burial ground or cemetery in accordance with Tenn. Code Ann. § 46-4-104; and (iii) terminates all rights and easements to use the Property as a burial ground and all rights and easements incident or appurtenant thereto in accordance with Tenn. Code Ann. § 46-4-104.

3. That Lennar have such other and further general relief as the Court may deem proper.

Respectfully submitted,

BRADLEY ARANT BOULT CUMMINGS, LLP

/s/ R. Brandon Bundren

R. Brandon Bundren (#30985)  
1600 Division Street, Suite 700  
Nashville, Tennessee 37203  
Tel: 615.244.2582  
Fax: 615.252.6380  
Email: bbundren@bradley.com

*Attorney for Petitioner, Lennar Homes of  
Tennessee, LLC.*

# **EXHIBIT 1**

Address New Owner:	Send Tax Bills To:	Map-Parcel Number(s):
Lennar Homes of Tennessee, LLC 381 Mallory Station Road, Ste. 200 Franklin, TN 37067 Attention: Kevin Sturgill	Lennar Homes of Tennessee, LLC 381 Mallory Station Road, Ste. 200 Franklin, TN 37067 Attention: Kevin Sturgill	Map-Par. R-0018709, R-0018709, R-0030590
This instrument prepared by: Todd W. Hall, Esq., Grafitti Rosensteel Hall & Szajna, LLC, 2701 East Camelback Road, Suite 180 Scottsdale, Arizona 85016		

**FIRST AMERICAN TITLE**

**SPECIAL WARRANTY DEED**

*NCS-1019679-1282*

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, **SUNCREST GWYNNE FARMS, LLC**, a Delaware limited liability ("**Grantor**"), has bargained and sold, and by these presents does transfer and convey to **LENNAR HOMES OF TENNESSEE, LLC**, a Delaware limited liability company ("**Grantee**"), and Grantee's successors and assigns, all of Grantor's right, title and interest in and to certain property in Rutherford County, State of Tennessee, being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "**Property**").

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to those Permitted Encumbrances set forth on Exhibit "B", attached hereto and incorporated herein by reference (the "**Permitted Encumbrances**").

**TO HAVE AND TO HOLD** the Property with all appurtenances, hereditaments, estate, title, and interest thereto belonging to the Grantee, Grantee's successors and assigns, forever. Grantor covenants and binds itself, its successors and assigns to warrant and forever defend the title and quiet possession to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons whomsoever claiming by, through or under Grantor, but not otherwise, excepting (i) all claims arising under or by virtue of the Permitted Encumbrances, and (ii) Grantor makes no warranty as to the amount of acreage in the Property.

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

Heather Dawbarn, Register  
Rutherford County Tennessee  
Rec #: 1074291      Instrument #: 2308536  
Rec'd: 80.00      Recorded  
State: 35150.00      10/2/2020 at 11:04 AM  
Clerk: 1.00      in Record Book  
Other: 2.00      1971  
Total: 35233.00  
Pages 3974-3989

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed on the 19 day of September, 2020.  
October

**GRANTOR:**

**SUNCREST GWYNNE FARMS, LLC,**  
a Delaware limited liability company

By: [Signature]

Name: Mike Koch

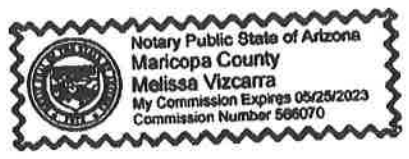
Title: Authorized Signatory

Date: September 28, 2020

STATE OF ARIZONA  
COUNTY OF MARICOPA

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Mike Koch - Authorized Signatory, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, at office in Phoenix, Arizona, this 28 day of September, 2020.



[Signature]  
NOTARY PUBLIC

My Commission Expires: 5-25-2023

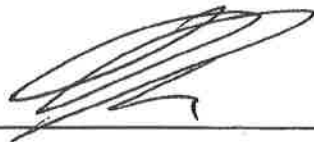


STATE OF ARIZONA

COUNTY OF MARICOPA

The actual consideration for this transfer, or value of property (whichever is greater) is

\$9,500,000.00

  
\_\_\_\_\_

Affiant

Subscribed and sworn to before me this 28 day of September 2020.




  
\_\_\_\_\_

Notary Public

My Commission Expires: 5-25-2023

STATE OF Tennessee  
COUNTY OF Maury

The actual consideration for this transfer, or value of property (whichever is greater) is  
\$9,500,000.00

  
\_\_\_\_\_  
Affiant

Subscribed and sworn to before me this 25<sup>th</sup> day of September 2020.



  
\_\_\_\_\_  
Notary Public

My Commission Expires: 8-22-2023

## EXHIBIT A

### TRACT 1:

CERTAIN TRACT OR PARCEL OF REAL ESTATE SITUATED IN THE 4TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, AND DESCRIBED ACCORDING TO SURVEY MADE BY EUGENE R. HARGIS, REGISTERED LAND SURVEYOR, ON MARCH 6, 1972 AS FOLLOWS:

STARTING AT A POINT IN THE CENTER OF LEE ROAD ABOUT TWELVE MILES NORTHWEST OF MURFREESBORO, TENNESSEE, AND BEING FURTHER DESCRIBED AS BEING OLLIE BATEY'S SOUTHEAST CORNER AND THE SOUTHWEST CORNER OF THE WALTER HARRIS FARM THAT LIES NORTH OF LEE ROAD; THENCE WITH THE CENTER OF THE ROAD AS FOLLOWS: N 49° E 137 FEET TO A POINT; N 59° E 150 FEET TO A POINT; N 69° E 125 FEET TO A POINT; N 75° E 103 FEET TO A POINT; THENCE PASSING A POST IN THE NORTH MARGIN OF THE ROAD N 3° E 289 FEET WITH WALTER HARRIS' WEST LINE TO A LOCUST TREE ON THE SOUTH SIDE OF A BRANCH; THENCE ALONG THE SOUTH SIDE OF OTHER PROPERTY OF WALTER HARRIS N 76° 30' W 441 FEET TO A MARKED FENCE POST; THENCE WITH OLLIE BATEY'S EAST LINE AND THE FENCE LINE AS FOLLOWS: S 5° W 294 FEET TO A POST; S 4° 15' W 336 FEET TO THE POINT OF BEGINNING, AND CONTAINING 4.25 ACRES, MORE OR LESS.

INCLUDED IN THE FOREGOING DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM, IS PROPERTY CONVEYED TO DARRELL MCEACHRON AND WIFE, AMBER MCEACHRON, BY DEED OF RECORD IN RECORD BOOK 1045, PAGE 1350, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

BEING PART OF THE SAME PROPERTY CONVEYED TO STANLEY HOLT HARRIS AND WIFE, BARBARA D. HARRIS, BY DEED FROM WALTER HARRIS AND WIFE, ORA LOUISE HARRIS, OF RECORD IN BOOK 211, PAGE 433, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

### TRACT 2:

CERTAIN TRACT OR PARCEL OF REAL ESTATE SITUATED IN THE 4TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, AND DESCRIBED ACCORDING TO SURVEY MADE BY EUGENE R. HARGIS, REGISTERED LAND SURVEYOR, ON MARCH 6, 1972, AS FOLLOWS:

N. BY W.E. HOLLAND, E. BY BAT EPPS AND MRS. NANCY RAY, S. BY S.E. POTTS AND W. BY BATEY; CONTAINING 44 ACRES, MORE OR LESS.

INCLUDED IN THE FOREGOING DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM, IS PROPERTY CONVEYED BY THE FOLLOWING, BOTH OF RECORD IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE:

1) DEED TO STANLEY HOLT HARRIS AND WIFE, BARBARA D. HARRIS, IN BOOK 211, PAGE 433; AND

2) DEED TO DARRELL MCEACHRON AND WIFE, AMBER MCEACHRON, IN RECORD BOOK 591, PAGE 3877.

BEING PART OF THE SAME PROPERTY CONVEYED TO STANLEY HOLT HARRIS AND WIFE, BARBARA D. HARRIS, BY DEED FROM ORA LOUISE HARRIS, OF RECORD IN BOOK 342, PAGE 846, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

TRACT 3:

LAND LYING IN THE 3RD & 4TH CIVIL DISTRICT OF RUTHERDFORD COUNTY, TENNESSEE, AND BEING BOUNDED ON THE SOUTH BY THE NORTH BY ROCK SPRINGS ROAD (ROW VARIES), ON THE WEST BY BARNS AS OF RECORD IN DEED BOOK 435, PAGE 2443, ON THE SOUTH BY MCHUGH, FITZCHARLES, HARRIS, & LEE AS OF RECORD IN DEED BOOKS 352, 277, 342, 269, PAGES 458, 2463, 846, 1960, AND ON THE WEST BY NARON, MORGAN, GWYNNE AS OF RECORD IN DEED BOOKS 1274, 46, 293, & 672, IN THE REGISTER'S OFFICE FOR RUTHERFORD COUNTY, TENNESSEE (R.O.R.C.T.), AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET IN THE SOUTHERN ROW OF ROCK SPRINGS ROAD HAVING A STATE PLANE COORDINATE OF NORTH 592,203.8356 EAST 1,794,652.9795 AND BEING THE NORTHWEST CORNER OF BARNS (DB 435, PG 2443),

THENCE, WITH BARN'S WEST LINE, THE FOLLOWING CALLS:

S 10°2'46" E, FOR A DISTANCE OF 161.82 FEET TO A FENCE POST FOUND,  
S 10°25'2" E, FOR A DISTANCE OF 716.30 FEET TO A FENCE POST FOUND,  
S 7°19'33" E, FOR A DISTANCE OF 163.66 FEET TO A FENCE POST FOUND,  
S 5°9'37" W, FOR A DISTANCE OF 571.61 FEET TO A FENCE POST FOUND,  
S 5°9'42" W, FOR A DISTANCE OF 180.17 FEET TO A FENCE POST FOUND,  
S 7°53'6" W, FOR A DISTANCE OF 123.15 FEET TO A FENCE POST FOUND,  
S 7°33'6" W, FOR A DISTANCE OF 361.97 FEET TO A FENCE POST FOUND,  
S 7°47'12" W, FOR A DISTANCE OF 229.39 FEET TO AN IRON PIN FOUND IN THE NORTH LINE OF MCHUGH (DB 325, PAGE 458);

THENCE, WITH MCHUGH'S NORTH LINE, N 80°24'8" W, FOR A DISTANCE OF 697.72 FEET TO AN IRON PIN FOUND AT THE NORTHEAST CORNER OF FITZCHARLES (RB 938, PG 1791);

THENCE, WITH FITZCHARLES' NORTH LINE, N 81°4'16" W, FOR A DISTANCE OF 311.21 FEET TO AN 18" ELM TREE IN THE NORTHEAST CORNER OF FITZCHARLES (DB 277, PG 2463);

THENCE, WITH FITZCHARLES' NORTH AND WEST LINES N 80°59'20" W, FOR A DISTANCE OF 474.56 FEET TO A FENCE POST FOUND, S 7°52'9" W, FOR A DISTANCE

OF 813.46 FEET TO AN IRON PIN FOUND IN THE NORTHWEST CORNER OF BEAUCHENE (RB 1253, PG 1940);

THENCE, WITH BEAUCHENE'S WEST LINE THE FOLLOWING CALLS:

S 8°17'1" W, FOR A DISTANCE OF 438.24 FEET TO AN IRON PIN FOUND,  
N 78°6'50" W, FOR A DISTANCE OF 18.29 FEET TO AN IRON PIN FOUND,  
S 8°37'48" W, FOR A DISTANCE OF 200.02 FEET TO AN IRON PIN FOUND IN THE NORTHWEST CORNER OF BURLIN (DB 605, PG 362);

THENCE, WITH BURLIN'S WEST LINE, S 8°29'12" W, FOR A DISTANCE OF 159.05 FEET TO AN IRON PIN SET IN THE NORTHEAST CORNER OF HARRIS (RB 342, PG 846);

THENCE, WITH HARRIS' NORTH LINE, THE FOLLOWING CALLS:

N 81°35'21" W, FOR A DISTANCE OF 286.72 FEET TO A FENCE POST FOUND,  
N 81°52'12" W, FOR A DISTANCE OF 283.54 FEET TO A FENCE POST FOUND,  
N 81°59'17" W, FOR A DISTANCE OF 636.62 FEET TO A FENCE POST FOUND,  
S 8°46'28" W, FOR A DISTANCE OF 381.56 FEET TO AN IRON PIN FOUND IN THE NORTHEAST CORNER OF LEE (DB 269, PG 1960);

THENCE, WITH LEE'S NORTH LINE, THE FOLLOWING CALLS:

N 81°41'46" W, FOR A DISTANCE OF 122.05 FEET TO A FENCE POST FOUND,  
N 82°41'45" W, FOR A DISTANCE OF 264.09 FEET TO A 12" HACKBERRY TREE,  
N 84°30'48" W, FOR A DISTANCE OF 90.26 FEET TO A 36" ELM TREE,  
N 86°11'9" W, FOR A DISTANCE OF 275.29 FEET TO A FENCE POST FOUND IN THE EAST LINE OF NARON (RB 1274, PG 2918),

THENCE, WITH NARON'S EAST LINE, THE FOLLOWING CALLS:

N 4°15'24" E, FOR A DISTANCE OF 421.13 FEET TO A FENCE POST FOUND,  
N 3°2'16" E, FOR A DISTANCE OF 79.97 FEET TO A FENCE POST FOUND,  
N 4°16'45" E, FOR A DISTANCE OF 387.43 FEET TO A FENCE POST FOUND,  
N 6°4'3" E, FOR A DISTANCE OF 64.03 FEET TO A SET STONE FOUND IN THE SOUTH LINE OF MORGAN (WB 46, PG 293);

THENCE, WITH MORGAN'S SOUTH AND EAST LINES, THE FOLLOWING CALLS:

S 84°51'30" E, FOR A DISTANCE OF 441.60 FEET TO A SET STONE FOUND,  
N 8°51'30" E, FOR A DISTANCE OF 506.42 FEET TO A FENCE POST FOUND,  
N 11°36'41" E, FOR A DISTANCE OF 32.29 FEET TO A FENCE POST FOUND,  
N 30°30'29" E, FOR A DISTANCE OF 61.50 FEET TO A FENCE POST FOUND,  
N 32°12'2" E, FOR A DISTANCE OF 415.73 FEET TO A FENCE POST FOUND,  
N 31°13'34" E, FOR A DISTANCE OF 70.32 FEET TO AN IRON PIN SET AT THE SOUTHWEST CORNER OF GWYNNE (RB 458, PG 672);

THENCE, WITH GWYNNE'S SOUTH AND EAST LINES, THE FOLLOWING CALLS:

S 81°26'4" E, FOR A DISTANCE OF 93.55 FEET TO A FENCE POST FOUND,  
N 6°7'14" E, FOR A DISTANCE OF 57.18 FEET TO AN IRON PIN SET,  
N 5°35'46" W, FOR A DISTANCE OF 90.99 FEET TO AN IRON PIN SET,  
N 5°16'59" W, FOR A DISTANCE OF 130.04 FEET TO A FENCE POST FOUND,  
S 77°23'44" W, FOR A DISTANCE OF 14.20 FEET TO A FENCE POST FOUND,  
N 0°27'50" E, FOR A DISTANCE OF 413.88 FEET TO A FENCE POST FOUND,  
N 5°49'12" E, FOR A DISTANCE OF 196.89 FEET TO A FENCE POST FOUND,  
N 4°25'34" W, FOR A DISTANCE OF 72.70 FEET TO A FENCE POST FOUND,  
N 5°50'2" W, FOR A DISTANCE OF 103.53 FEET TO AN IRON PIN SET IN THE SOUTH  
ROW OF ROCK SPRINGS ROAD;

THENCE, WITH THE SOUTH ROW OF ROCK SPRINGS ROAD, THE FOLLOWING  
CALLS:

ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 475.00 FEET, AN ARCH  
LENGTH OF 89.47 FEET, A DELTA ANGLE OF 10° 47' 34", A CHORD BEARING OF N  
34°39'24" E, AND A CHORD DISTANCE OF 89.34 FEET TO AN IRON PIN SET,

N 29°15'37" E, FOR A DISTANCE OF 150.99 FEET TO AN IRON PIN SET,

ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 225.00 FEET, AN ARCH  
LENGTH OF 186.48 FEET, A DELTA ANGLE OF 47° 29' 13", A CHORD BEARING OF N  
53°0'14" E, AND A CHORD DISTANCE OF 181.19 FEET TO AN IRON PIN SET,

N 76°44'50" E, FOR A DISTANCE OF 112.19 FEET TO AN IRON PIN SET, ALONG A  
CURVE TO THE RIGHT, HAVING A RADIUS OF 1475.00 FEET, AN ARCH LENGTH OF  
248.92 FEET, A DELTA ANGLE OF 09° 40' 09", A CHORD BEARING OF N 81°34'55" E,  
AND A CHORD DISTANCE OF 248.62 FEET TO AN IRON PIN SET,

N 86°24'59" E, FOR A DISTANCE OF 51.43 FEET TO AN IRON PIN SET,

N 85°3'26" E, FOR A DISTANCE OF 75.04 FEET TO AN IRON PIN SET,

ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 425.00 FEET, AN ARCH  
LENGTH OF 85.31 FEET, A DELTA ANGLE OF 11° 30' 02", A CHORD BEARING OF N  
79°18'25" E, AND A CHORD DISTANCE OF 85.16 FEET TO AN IRON PIN SET,

N 73°33'24" E, FOR A DISTANCE OF 461.32 FEET TO AN IRON PIN SET,

N 73°27'41" E, FOR A DISTANCE OF 515.45 FEET TO AN IRON PIN SET,

N 73°20'47" E, FOR A DISTANCE OF 215.17 FEET TO AN IRON PIN SET,

N 72°38'6" E, FOR A DISTANCE OF 342.45 FEET TO AN IRON PIN SET,

N 73°20'57" E, FOR A DISTANCE OF 99.70 FEET TO AN IRON PIN SET,

ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1875.00 FEET, AN ARCH  
LENGTH OF 367.60 FEET, A DELTA ANGLE OF 11° 13' 59", A CHORD BEARING OF N  
67°43'58" E, AND A CHORD DISTANCE OF 367.01 FEET TO THE POINT OF BEGINNING,  
CONTAINING 8,284,651.6 SQ.FT. OR 190.189 ACRES MORE OR LESS BASED ON A FIELD  
RUN SURVEY BY WILSON & ASSOCIATES, P.C. APRIL 15, 2019.

BEING THE SAME PROPERTY CONVEYED TO SUNCREST GWYNNE FARMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY DEED FROM ROBERT W. GWYNNE, JR LIVING TRUST, BY AND THROUGH ITS TRUSTEE, ROBERT W. GWYNNE, III, ON BEHALF OF SAID TRUST AND IN NO WAY INDIVIDUALLY, AND JANNETTE L. GWYNNE, AN UNMARRIED WOMAN, OF RECORD IN RECORD BOOK 1923, PAGE 1601, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

INCLUDED IN THE FOREGOING DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM THE FOLLOWING DESCRIBED PARCEL:

A TRACT OF LAND IN THE 3RD CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE BOUNDED ON THE NORTH BY THE RIGHT OF WAY FOR ROCK SPRINGS ROAD, ON THE EAST BY THE WESTERLY LINE OF THE LANDS CONVEYED TO JOHN MITCHELL BYRNES (R.B. 1552, PAGE 2408) ON THE SOUTH BY THE LANDS OF JAMES MCHUGH ET UX (D.B. 325, PG. 458) AND ON THE WEST BY THE REMAINING LANDS OF ROBERT W. GWYNNE, JR., TRUSTEE OF THE ROBERT W. GWYNNE, JR. LIVING TRUST DATED APRIL 25, 2008 (R.B. 838, PG. 3331). PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT OF WAY FOR ROCK SPRINGS ROAD, THE NORTHEAST CORNER OF GWYNNE, AND A POINT IN THE WESTERLY LINE OF BYRNES, THENCE WITH THE WESTERLY LINE OF BYRNES AND THE FOLLOWING CALLS:

SOUTH 10°28'59" EAST, A DISTANCE OF 878.11';  
THENCE, SOUTH 07°23'49" EAST, A DISTANCE OF 162.97';  
THENCE, SOUTH 05°05'21" WEST, A DISTANCE OF 699.86';  
THENCE, SOUTH 07°41'51" WEST, A DISTANCE OF 765.04' TO THE SOUTHWEST CORNER OF BYRNES, A POINT IN THE NORTHERLY LINE OF MCHUGH;

THENCE WITH SAID NORTHERLY LINE, NORTH 80°55'47" WEST, A DISTANCE OF 142.45'; THENCE WITH A NEW LINE SEVERING THE LAND OF GWYNNE AND THE FOLLOWING CALLS:

NORTH 07°47'12" EAST, A DISTANCE OF 224.54';  
THENCE, NORTH 07°33'06" EAST, A DISTANCE OF 362.09';  
THENCE, NORTH 07°53'06" EAST, A DISTANCE OF 120.15';  
THENCE, NORTH 05°09'42" EAST, A DISTANCE OF 176.74';  
THENCE, NORTH 05°09'37" EAST, A DISTANCE OF 555.85';  
THENCE, NORTH 03°24'00" WEST, A DISTANCE OF 144.75';  
THENCE, NORTH 10°12'51" WEST, A DISTANCE OF 713.08';  
THENCE, NORTH 10°02'46" WEST, A DISTANCE OF 122.14' TO A POINT IN THE SOUTHERLY RIGHT OF WAY FOR ROCK SPRINGS ROAD;

THENCE WITH SAID RIGHT OF WAY AND A 1875.00' RADIUS CURVE TO THE LEFT, A DISTANCE OF 147.14', A CHORD BEARING AND DISTANCE OF NORTH 64°23'37" EAST, 147.10' TO THE POINT OF BEGINNING, CONTAINING 8.004 ACRES, MORE OR LESS.

TRACT 4:

BEGINNING AT A STAKE IN THE LANE ON THE SOUTH SIDE OF A BRANCH, G. W. HAYNES' NORTHEAST CORNER, FANNIE D. CARTER'S SOUTHEAST CORNER AND MAGGIE BRITAIN'S SOUTHWEST CORNER; THENCE SOUTH  $11\frac{1}{2}^{\circ}$  EAST WITH HAYNES' EAST LINE 87 POLES TO A STAKE IN ROCK SPRING AND SMYRNA ROAD; THENCE SOUTH  $69\frac{1}{4}^{\circ}$  WEST, WITH HAYNES LINE  $41\frac{4}{5}$  POLES TO THE BRANCH; THENCE WEST 10 POLES; THENCE SOUTH  $77^{\circ}$  WEST 34 POLES; THENCE SOUTH  $20^{\circ}$  WEST  $9\frac{3}{5}$  POLES; THENCE SOUTH  $88^{\circ}$  WEST  $11\frac{1}{5}$  POLES TO EDMONSON'S CORNER; THENCE SOUTH  $2^{\circ}$  WEST WITH EDMONSON'S HEIRS  $35\frac{1}{2}$  POLES; THENCE SOUTH  $88^{\circ}$  EAST WITH THE SCHOOL HOUSE LOT  $12\frac{3}{4}$  POLES TO A STAKE; THENCE SOUTH  $2^{\circ}$  WEST, WITH SCHOOL HOUSE LOT AND EDMONSON'S HEIRS,  $40\frac{3}{5}$  POLES TO EDMONSON'S CORNER IN W. HOLLAND'S LINE; THENCE SOUTH  $88^{\circ}$  EAST, WITH HOLLAND AND J. H. WILLIAMSON'S LINE  $258\frac{3}{4}$  POLES TO WALPOLE'S NORTHWEST CORNER; THENCE NORTH  $2^{\circ}$  EAST, WITH WALPOLE,  $53\frac{2}{5}$  POLES; THENCE NORTH  $88^{\circ}$  WEST  $23\frac{3}{5}$  POLES; THENCE NORTH  $2^{\circ}$  EAST, WITH W. F. MULLINS,  $89\frac{1}{2}$  POLES; THENCE NORTH  $11^{\circ}$  WEST 10 POLES; THENCE NORTH  $13^{\circ}$  WEST 7 POLES; THENCE NORTH  $33^{\circ}$  WEST  $13\frac{1}{4}$  POLES TO MULLIN'S CORNER IN THE COUNTY ROAD, IN MAGGIE M. BRITAIN'S SOUTH LINE; THENCE SOUTH  $87\frac{1}{2}^{\circ}$  WEST, WITH SAID ROAD AND HER LINE,  $34\frac{1}{2}$  POLES; THENCE SOUTH  $63^{\circ}$  WEST WITH SAME, 20 POLES TO HER CORNER; THENCE NORTH  $25^{\circ}$  WEST, WITH HER LINE,  $45\frac{4}{5}$  POLES TO A SMALL BLACK LOCUST, SOUTH OF BRANCH; THENCE NORTH  $85^{\circ}$  WEST, WITH SAME, 33 POLES TO A FORKED ELM; THENCE NORTH  $72\frac{1}{2}^{\circ}$  WEST 9 POLES, WITH THE SAME; THENCE SOUTH  $83^{\circ}$  WEST 26 POLES, WITH SAME; THENCE NORTH  $88^{\circ}$  WEST, WITH SAME ON SOUTH SIDE OF BRANCH, 29 POLES TO THE BEGINNING. THE ABOVE TRACT OF LAND CONTAINING TWO HUNDRED FIFTY (250) ACRES, MORE OR LESS, AFTER DEDUCTING THE ONE ACRE FOR THE CHURCH LOT.

INCLUDED IN THE FOREGOING DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM ARE THE FOLLOWING THREE PARCELS:

PARCEL 1:

CONVEYED TO ROBERT W. GWYNNE AND WIFE, MARY C. GWYNNE, BY DEED OF RECORD IN DEED BOOK 120, PAGE 328, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS:

ALL PROPERTY EAST OF THE 9.65 ACRE TRACT OWNED BY WALKUP AND NORTHWEST OF THE CENTERLINE OF ROCK SPRINGS ROAD INCLUDING A PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH CONTAINS 40 ACRES, MORE OR LESS, OF PROPERTY STILL OWNED BY THE GRANTORS AND THE 5.31 ACRES ALREADY CONVEYED TO ROBERT W. GWYNNE, JR. AND WIFE, JANNETTE L. GWYNNE.

PARCEL 2:



CONVEYED TO JOHN M. BYRNES AND WIFE, ELIZABETH BYRNES, BY DEED OF RECORD IN DEED BOOK 438, PAGE 477, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS:

BOUNDED ON THE NORTH BY ROCK SPRINGS ROAD; ON THE EAST BY JOHN R. CARTER (DEED BOOK 401, PAGE 370); ON THE SOUTH AND WEST BY THE REMAINING PROPERTY OF ROBERT W. GWYNNE, SR. (DEED BOOK 120, PAGE 328).

BEGINNING AT A NAIL IN THE CENTERLINE OF ROCK SPRINGS ROAD, LYING 698.05' WEST OF THE CENTERLINE OF MONTGOMERY ROAD, SAID NAIL BEING THE NW CORNER OF CARTER AND THE NE CORNER OF THIS TRACT; THENCE WITH THE WEST FENCELINE OF CARTER S-26° 55' 40"-E 246.10 FEET TO AN IRON PIN IN LINE THE FENCELINE; THENCE CONTINUING WITH THE WEST FENCELINE OF CARTER S-02° 23' 10"-E 272.55 FEET TO AN IRON PIN BY A POST; THENCE S-01° 00' 30"-W, 104.50 FEET TO AN IRON PIN IN THE FENCELINE; THENCE S-06° 50' 50"-W, 464.40 FEET TO A PIPE; THENCE S-06° 11' 30"-W 124.30 FEET TO A PIPE; THENCE S-05° 01' 20"-W, 456.80 FEET TO AN IRON PIN BY A POST; THENCE S-43° 35'-E, 8.20 FEET TO AN IRON PIN BY A POST; THENCE S-03° 05' 10"-W, 311.20 FEET TO AN IRON PIN BY A CORNER POST BEING THE SE CORNER OF THIS TRACT; THENCE RUNNING WITH THE REMAINING PROPERTY OF GWYNNE N-83° 50'-W, 565.09 FEET TO AN IRON PIN BEING THE SW CORNER OF THIS TRACT; THENCE CONTINUING WITH THE REMAINING PROPERTY OF GWYNNE N-24° 12' 40"W, 633.68 FEET TO AN IRON PIN; THENCE N-01° 47' 30"-W, 312.92 FEET TO AN IRON PIN; THENCE N-01° 47' 30"-W, 354.63 FEET TO AN IRON PIN; THENCE N-01° 47' 40"W, 163.09 FEET TO AN IRON PIN; THENCE N-01° 47' 30"-W, THROUGH AN IRON PIN 31.1' OFF THE CENTERLINE OF ROCK SPRINGS ROAD, FOR A TOTAL DISTANCE OF 254.01 FEET TO A NAIL IN THE CENTERLINE OF ROCK SPRINGS ROAD BEING THE NW CORNER OF THIS TRACT; THENCE WITH THE CENTERLINE OF ROCK SPRINGS ROAD, N-65° 06' 40"-E, 323.81 FEET TO A NAIL; THENCE N-80° 28' 50"-E, 568.13 FEET TO THE NAIL AT THE BEGINNING; CONTAINING 36.06 ACRES, MORE OR LESS, ACCORDING TO SURVEY BY ROBERT E. FRANCIS, REGISTERED LAND SURVEYOR #669, DATED JANUARY 6, 1990.

PARCEL 3:

CONVEYED TO JOHN M. BYRNES, UNMARRIED, BY DEED OF RECORD IN DEED BOOK 499, PAGE 103, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS:

LOCATED IN THE 4TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE. BOUND ON THE NORTH BY ROCK SPRINGS ROAD, JOHN M. BYRNES (DEED BOOK 438, PAGE 477) AND TRACT NO. 2 OF THIS SURVEY WHICH IS PART OF OTHER PROPERTY OF JOHN M. BYRNES (DEED BOOK 438, PAGE 170) TO BE DEEDED TO TOM GILBERT; ON THE EAST BY JOHN M. BYRNES (DEED BOOK 438, PAGE 477) AND SAMUEL M. SULLIVAN (DEED BOOK 293, PAGE 210); ON THE SOUTH BY MINNIE L. DAUGHERTY (DEED BOOK 153, PAGE 138), BOBBY G. SMITH (DEED BOOK 342, PAGE

604), MICHAEL D. BURKE (DEED BOOK 338, PAGE 583), AND JAMES P. MCHUGH (DEED BOOK 352, PAGE 458); AND ON THE WEST BY THE REMAINING PROPERTY OF ROBERT W. GWYNNE, SR., (DEED BOOK 120, PAGE 328). BEGINNING AT A NAIL FOUND IN THE CENTERLINE OF ROCK SPRINGS ROAD, SAID NAIL BEING THE NW CORNER OF BYRNES (438,477) AND THE NORTHERN MOST CORNER OF THIS TRACT; THENCE WITH THE WEST LINE OF BYRNES S-01° 47' 30"-E, THROUGH AN IRON PIN SET 31.1 FEET OFF THE CENTERLINE OF ROCKS SPRINGS ROAD, FOR A TOTAL DISTANCE OF 254.01 FEET TO AN IRON PIN; THENCE CONTINUING WITH THE WEST LINE OF BYRNES S-01° 47' 30"-E, 163.09 FEET TO AN IRON PIN; THENCE S-01° 47' 30"-E, 354.63 FEET TO AN IRON PIN; THENCE S-01° 47' 30"-E, 312.92 FEET TO AN IRON PIN; THENCE S-24° 12' 40"-E, 633.68 FEET TO AN IRON PIN; THENCE S-83° 50' 00"-E, 565.09 FEET TO AN IRON PIN FOUND IN THE FENCE CORNER; THENCE WITH THE SOUTH LINE OF TRACT NO. 2 S-83° 51' 10"-E, 383.31 FEET TO AN IRON PIN SET IN LINE WITH THE FENCES; THENCE WITH THE WEST FENCELINE OF SULLIVAN S-05°14' 00"-W, 170.13 FEET TO AN IRON PIN SET BY AN 8" ASH IN THE FENCELINE; THENCE CONTINUING WITH THE WEST FENCELINE OF SULLIVAN S-05° 26' 10"-W, 437.98 FEET TO AN IRON PIN SET BY A BRACE POST; THENCE S-06° 15' 10"-W, 367.32 FEET TO AN IRON PIN SET BY A POST; THENCE S-04° 23' 00"-W, 246.91 FEET TO AN IRON PIN FOUND BY A 20" HICKORY IN THE FENCE CORNER BEING THE SE CORNER OF THIS TRACT; THENCE WITH THE NORTH FENCELINE OF DAUGHERTY N-83° 41' 20"-W, 375.65 FEET TO AN IRON PIN FOUND BY A CORNER POST; THENCE WITH THE NORTH FENCELINE OF SMITH N-83° 19' 30"-W, 500.58 FEET TO AN IRON PIN FOUND IN THE FENCE CORNER; THENCE WITH THE NORTH LINE OF BURKE N-82° 30' 40"-W, 250.97 FEET TO AN IRON PIN FOUND IN THE FENCE CORNER; THENCE WITH THE NORTH FENCELINE OF MCHUGH N-83° 28' 30"-W, 326.60 FEET TO AN IRON PIN SET IN THE FENCELINE BEING THE SW CORNER OF THIS TRACT; THENCE WITH THE EAST LINE (STAKED) OF THE REMAINING PROPERTY OF GWYNNE N-05° 07' 20"-E, 765.04 FEET TO AN IRON PIN SET; THENCE CONTINUING WITH THE EAST LINE OF THE REMAINING PROPERTY OF GWYNNE N-02° 30' 50"-E, 699.86 FEET TO AN IRON PIN SET; THENCE N-09° 58' 20"-W, 162.97 FEET TO AN IRON PIN SET; THENCE N-13° 03' 30"-W, 693.60 FEET TO AN IRON PIN SET; THENCE N-13° 03' 30"-W, THROUGH AN IRON PIN 16.1' OFF THE CENTER LINE OF ROCK SPRINGS ROAD, FOR A TOTAL DISTANCE OF 213.19 FEET TO A RAILROAD SPIKE IN THE CENTERLINE OF ROCK SPRINGS ROAD BEING THE NW CORNER OF THIS TRACT; THENCE WITH THE CENTER LINE OF ROCK SPRINGS ROAD N-58° 59' 10"-E 201.42 FEET TO A NAIL SET; THENCE CONTINUING WITH THE CENTER LINE OF ROCK SPRINGS ROAD N-56° 51' 00"-E, 81.42 FEET TO A NAIL; THENCE N-54° 08' 10"-E, 76.91 FEET TO A NAIL; THENCE N-52° 54' 00"-E, 96.04 FEET TO A NAIL; THENCE N-54° 59' 50"-E, 95.08 FEET TO THE NAIL AT THE BEGINNING; CONTAINING 54.29 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO SUNCREST GWYNNE FARMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY DEED FROM ROBERT W. GWYNNE, JR LIVING TRUST, BY AND THROUGH ITS TRUSTEE, ROBERT W. GWYNNE, III, ON BEHALF OF SAID TRUST AND IN NO WAY INDIVIDUALLY, OF RECORD IN RECORD

BOOK 1923, PAGE 1592, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

TRACT 5:

BOUNDED ON THE NORTH BY THE PROPERTY OF ROBERT GWYNNE; ON THE EAST BY THE PROPERTY OF LOIS DAUGHTERY; ON THE SOUTH BY THE PROPERTIES OF WALTER HARRIS AND O. C. BATEY; AND ON THE WEST BY THE PROPERTIES OF O. C. BATEY AND WILL WOODS, AND CONTAINING 69 ACRES, MORE OR LESS. HOWEVER, THE GRAVEYARD NOW LOCATED ON THE RESIDENCE LOT IS HEREBY RESERVED AND EXCLUDED WITH A RIGHT OF WAY FOR INGRESS AND EGRESS TO AND FROM SAID GRAVEYARD.

BEING THE SAME PROPERTY CONVEYED TO SUNCREST GWYNNE FARMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY DEED FROM JANNETTE L. GWYNNE, UNMARRIED, OF RECORD IN RECORD BOOK 1923, PAGE 1586, IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

## EXHIBIT B

1. Taxes and assessments for the year 2020 and subsequent years, not yet due and payable.

### THE FOLLOWING AFFECTS TRACTS 1 and 2:

2. Utility Easement from Stanley Holt Harris and Barbara Ann Harris to The Consolidated Utility District of Rutherford County, Tennessee, a body politic, and to its successors or assigns, of record in Book 360, Page 745, in the Register's Office of Rutherford County, Tennessee. (TRACT 1)
3. Right of Way Easement from Stanley Holt Harris and Barbara D. Harris to Middle Tennessee Electric Membership Corporation, a cooperative corporation, and to its successors or assigns, of record in Record Book 1058, Page 1684, in the Register's Office of Rutherford County, Tennessee. (TRACT 1)
4. Right of Way Easement from Stanley Holt Harris and wife, Barbara (Deason) Harris, to Middle Tennessee Electric Membership Corporation, a cooperative corporation, and to its successors or assigns, of record in Record Book 1620, Page 2967, in the Register's Office of Rutherford County, Tennessee. (TRACT 1)
5. Right of way and easement from Walter Harris and wife, Ora Harris, to Texas Eastern Transmission Corporation, a Delaware Corporation, its successors and assigns, of record in Deed Book 108, Page 545; as affected by Amendatory Agreement in Record Book 75, Page 2402; and affected by Amendatory Agreement in Record Book 75, Page 2408, in the Register's Office of Rutherford County, Tennessee. (TRACT 2)
6. Terms and provisions of Boundary Line Agreement by and between Darrell McEachron and Stanley Harris and Barbara Harris, of record in Record Book 792, Page 3551, in the Register's Office of Rutherford County, Tennessee. (TRACT 1)
7. Utility Easement from Stanley Holt Harris and Barbara D. Harris to The Consolidated Utility District of Rutherford County, Tennessee, a body politic, and to its successors or assigns, of record in Book 366, Page 589, in the Register's Office of Rutherford County, Tennessee. (TRACT 2)
8. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Wilson & Associates, P.C. on June 12, 2020, designated 18-1094: Rights of others in and to a gravesite located in the Northern portion of the Land.
9. No insurance is afforded as to the acreage or square footage contained in the Land.

### THE FOLLOWING AFFECTS TRACTS 3, 4 and 5:

10. Terms and provisions of Utility Line Easement, by and between Robert W. Gwynne, Sr. and wife, Mary C. Gwynne and Town of Smyrna, Tennessee, its successors and assigns, of record in Deed Book 497, Page 428, in the Register's Office of Rutherford County, Tennessee.
11. Terms and provisions of right of way and easement, by and between John W. Brittain; Miss Ruth Brittain; Spencer Hall; Grace Brittain Hall; Marion Brittain Maxwell; and M.P. Maxwell and Texas Eastern Transmission Corporation, a Delaware Corporation, its successors and assigns, of record in Deed Book 108, Page 339, in the Register's Office of Rutherford County, Tennessee.

12. Terms and provisions of right of way and easement, by and between Alice Brittain Johnson & J. M. Johnson her husband and Texas Eastern Transmission Corporation, a Delaware Corporation, its successors and assigns, of record in Deed Book 108, Page 477, in the Register's Office of Rutherford County, Tennessee.
13. Terms and provisions of right of way and easement, by and between C. L. Brittain and Thelma L. Brittain his wife and Texas Eastern Transmission Corporation, a Delaware Corporation, its successors and assigns, of record in Deed Book 109, Page 23, in the Register's Office of Rutherford County, Tennessee.
14. Terms and provisions of Easement, by and between Robert W. Gwynne, Jr. and Bellsouth Telecommunications, Inc., a Georgia corporation, its licensees, agents, successors, assigns and allied and associated companies, of record in Book 617, Page 92, in the Register's Office of Rutherford County, Tennessee.
15. Terms and provisions of Agreement, by and between Robert W. Gwynne, Sr. and Mary C. Gwynne and Texas Eastern Transmission Corporation, a Delaware Corporation, of record in Book 161, Page 72, in the Register's Office of Rutherford County, Tennessee.
16. That portion of the land contained within the boundary of a cemetery, and all rights of ingress and egress thereto, as referenced in Deed of record in Book 164, Page 131, in the Register's Office of Rutherford County, Tennessee.
17. Terms and provisions of right-of-way or easement, by and between Robert W. Gwynne and Mary C. Gwynne and Texas Eastern Transmission Corporation, its successors and assigns, of record in Book 192, Page 598, in the Register's Office of Rutherford County, Tennessee Records.

### True Copy Certification

I, Nick Kallof, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

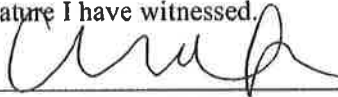


Signature

State of Arizona

County of Maricopa

Personally appeared before me, Lauren Ogino, a notary public for this county and state, Nick Kallof who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary's Signature

My Commission Expires: 5/21/2022  
Notary' Seal (if on paper)



Address New Owner:	Send Tax Bills To:	Map-Parcel Number(s):
Lennar Homes of Tennessee, LLC 381 Mallory Station Road, Ste. 200 Franklin, TN 37067 Attention: Kevin Sturgill	Lennar Homes of Tennessee, LLC 381 Mallory Station Road, Ste. 200 Franklin, TN 37067 Attention: Kevin Sturgill	Map-Par. R-0018709, R-0018709, R-0030590
This instrument prepared by: Todd W. Hall, Esq. Grafitti Rosensteel Hall & Szajna, LLC, 2701 East Camelback Road, Suite 180, Phoenix, Arizona 85016		

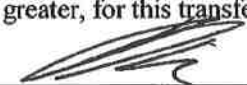
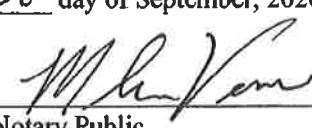
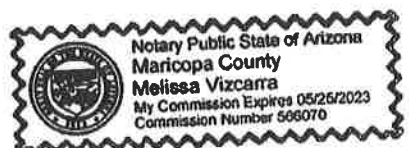
**FIRST AMERICAN TITLE**

**QUITCLAIM DEED**

NCS - 1019679-PHYL

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, **SUNCREST GWYNNE FARMS, LLC**, a Delaware limited liability company ("*Grantor*"), has bargained and sold, and by these presents, does hereby quitclaim, transfer and convey their entire ownership interest, if any and without representation or warranty of any kind, unto **LENNAR HOMES OF TENNESSEE, LLC**, a Delaware limited liability company ("*Grantee*"), whose mailing address is 381 Mallory Station Road, Ste. 200 Franklin, TN 37067, its successors and assigns, forever, all of their right, title and interest in and to the following tract or parcel of land, situate and lying in Rutherford County, Tennessee, bounded and described as follows, that certain real property described on Exhibit "A" attached hereto and incorporated herein by reference (the "*Property*").

This conveyance of the Property is made expressly subject to all matters of record.

STATE OF <del>TENNESSEE</del> <u>ARIZONA</u> COUNTY OF <u>MARICOPA</u> )
The actual consideration or value, whichever is greater, for this transfer is \$0.00.
 _____ Affiant
Subscribed and sworn to before me this <u>28</u> day of September, 2020.
 _____ Notary Public
My Commission Expires: <u>5-25-2023</u>


**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

Heather Dawbarn, Register  
Rutherford County Tennessee  
 Rec #: 1074291      Instrument #: 2308537  
 Rec'd: 35.00      Recorded  
 State: 0.00      10/2/2020 at 11:04 AM  
 Clerk: 0.00      in Record Book  
 Other: 2.00      1971  
 Total: 37.00

Pages 3990-3996

IN WITNESS WHEREOF, the undersigned has executed this Quitclaim Deed as of this 1st  
day of ~~September~~, 2020  
October

**GRANTOR:**

**SUNCREST GWYNNE FARMS, LLC,**  
a Delaware limited liability company

By: [Signature]  
Name: Mike Koch  
Title: Authorized Signatory  
Date: September 28, 2020

STATE OF ARIZONA )  
COUNTY OF MARICOPA )

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Mike Koch the Authorized Signatory of Suncrest Gwynne Farms, LLC, a Delaware limited liability company, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal, at office in Phoenix, Arizona, this 28 day of September, 2020.

[Signature]  
Notary Public

My commission expires: 5-25-2023





**EXHIBIT A**  
(Survey Legal)

The land referred to herein below is situated in the County of Rutherford, State of Tennessee, and described as follows:

**TRACT 1**

LAND lying in the 3<sup>rd</sup> & 4<sup>th</sup> Civil District of Rutherford County, Tennessee, and being bounded on the south by the north by Rock Springs Road (ROW varies), on the west by Byrnes as of record in Deed Book 435, Page 2443, on the south by McHugh, Fitzcharles, Harris, & Lee as of record in Deed Books 352, 277, 342, 269, Pages 458, 2463, 846, 1960, and on the west by Naron, Morgan, Gwynne as of record in Deed Books 1274, 46, 293, & 672, in the Register's Office for Rutherford County, Tennessee (R.O.R.C.T.), and is more particularly described as follows:

BEGINNING at an iron pin set in the southern ROW of Rock Springs Road having a State Plane Coordinate of North 592,140.1832 East 1,794,520.3366 and being the northwest corner of Byrnes (DB 435, PG 2443),

THENCE, with Barn's west line, the following calls:

S 10°2'46" E, for a distance of 122.06 feet to an iron pin set,

S 11°12'51" E, for a distance of 713.08 feet to an iron pin set,

S 3°24'00" E, for a distance of 144.75 feet to an iron pin set,

S 5°9'37" W, for a distance of 555.85 feet to an iron pin set,

S 5°9'42" W, for a distance of 176.74 feet to an iron pin set,

S 7°53'6" W, for a distance of 120.15 feet to an iron pin set,

S 7°33'6" W, for a distance of 362.09 feet to an iron pin set,

S 7°47'12" W, for a distance of 225.97 feet to an iron pin set in the north line of McHugh (DB 325, Page 458);

THENCE, with McHugh's north line, N 80°24'8" W, for a distance of 555.62 feet to an iron pin found at the northeast corner of Fitzcharles (RB 938, PG 1791);

THENCE, with Fitzcharles' north line, N 81°4'16" W, for a distance of 311.21 feet to an 18" elm tree in the northeast corner of Fitzcharles (DB 277, PG 2463);

THENCE, with Fitzcharles' north and west lines N 80°59'20" W, for a distance of 474.56 feet to a fence post found, S 7°52'9" W, for a distance of 813.46 feet to an iron pin found in the northwest corner of Beauchene (RB 1253, PG 1940);

THENCE, with Beauchene's west line the following calls:

S 8°17'1" W, for a distance of 438.24 feet to an iron pin found,

N 78°6'50" W, for a distance of 18.29 feet to an iron pin found,

S 8°37'48" W, for a distance of 200.02 feet to an iron pin found in the northwest corner of Burlin (DB 605, PG 362);

THENCE, with Burlin's west line, S 8°29'12" W, for a distance of 159.05 feet to an iron pin set in the northeast corner of Harris (RB 342, PG 846);

THENCE, with Harris' north line, the following calls:

N 81°35'21" W, for a distance of 286.72 feet to a fence post found,

N 81°52'12" W, for a distance of 283.54 feet to a fence post found,

N 81°59'17" W, for a distance of 636.62 feet to a fence post found,

S 8°46'28" W, for a distance of 381.56 feet to an iron pin found in the northeast corner of Lee (DB 269, PG 1960);

THENCE, with Lee's north line, the following calls:

N 81°41'46" W, for a distance of 122.05 feet to a fence post found,  
N 82°41'45" W, for a distance of 264.09 feet to a 12" hackberry tree,  
N 84°30'48" W, for a distance of 90.26 feet to a 36" elm tree,  
N 86°11'9" W, for a distance of 275.29 feet to a fence post found in the east line of Naron (RB 1274, PG 2918),

THENCE, with Naron's east line, the following calls:

N 4°15'24" E, for a distance of 421.13 feet to a fence post found,  
N 3°2'16" E, for a distance of 79.97 feet to a fence post found,  
N 4°16'45" E, for a distance of 387.43 feet to a fence post found,  
N 6°4'3" E, for a distance of 64.03 feet to a set stone found in the south line of Morgan (WB 46, PG 293);

THENCE, with Morgan's south and east lines, the following calls:

S 84°51'30" E, for a distance of 441.60 feet to a set stone found,  
N 8°51'30" E, for a distance of 506.42 feet to a fence post found,  
N 11°36'41" E, for a distance of 32.29 feet to a fence post found,  
N 30°30'29" E, for a distance of 61.50 feet to a fence post found,  
N 32°12'2" E, for a distance of 415.73 feet to a fence post found,  
N 31°13'34" E, for a distance of 70.32 feet to an iron pin set at the southwest corner of Gwynne (RB 458, PG 672);

THENCE, with Gwynne's south and east lines, the following calls: S 81°26'4" E, for a distance of 93.55 feet to a fence post found,

N 6°7'14" E, for a distance of 57.18 feet to an iron pin set,  
N 5°35'46" W, for a distance of 90.99 feet to an iron pin set,  
N 5°16'59" W, for a distance of 130.04 feet to a fence post found,  
S 77°23'44" W, for a distance of 14.20 feet to a fence post found,  
N 0°27'50" E, for a distance of 413.88 feet to a fence post found,  
N 5°49'12" E, for a distance of 196.89 feet to a fence post found,  
N 4°25'34" W, for a distance of 72.70 feet to a fence post found,  
N 5°50'2" W, for a distance of 103.53 feet to an iron pin set in the south ROW of Rock Springs Road;

THENCE, with the south ROW of Rock Springs Road, the following calls:

Along a curve to the left, having a radius of 475.00 feet, an arch length of 89.47' feet, a delta angle of 10° 47' 34", a chord bearing of N 34°39'24" E, and a chord distance of 89.34 feet to an iron pin set, N 29°15'37" E, for a distance of 150.99 feet to an iron pin set,

Along a curve to the right, having a radius of 225.00 feet, an arch length of 186.48 feet, a delta angle of 47° 29' 13", a chord bearing of N 53°0'14" E, and a chord distance of 181.19 feet to an iron pin set, N 76°44'50" E, for a distance of 112.19 feet to an iron pin set,

Along a curve to the right, having a radius of 1475.00 feet, an arch length of 248.92 feet, a delta angle of 09° 40' 09", a chord bearing of N 81°34'55" E, and a chord distance of 248.62 feet to an iron pin set, N 86°24'59" E, for a distance of 51.43 feet to an iron pin set, N 85°3'26" E, for a distance of 75.04 feet to an iron pin set,

Along a curve to the left, having a radius of 425.00 feet, an arch length of 85.31 feet, a delta angle of 11° 30' 02", a chord bearing of N 79°18'25" E, and a chord distance of 85.16 feet to an iron pin set, N 73°33'24" E, for a distance of 461.32 feet to an iron pin set, N 73°27'41" E, for a distance of 515.45 feet to an iron pin set, N 73°20'47" E, for a distance of 215.17 feet to an iron pin set, N 72°38'6" E, for a distance of 342.45 feet to an iron pin set, N 73°20'57" E, for a distance of 99.70 feet to an iron pin set, Along a curve to the

left, having a radius of 1875.00 feet, an arch length of 220.43 feet, a delta angle of 6°44'10", a chord bearing of N 69°58'52" E, and a chord distance of 220.31 feet to the POINT OF BEGINNING, containing 7,939,450.3 sq.ft. or 182.265 acres more or less based on a field run survey by Wilson & Associates, P.C. April 15, 2019, updated September 30, 2020.

BEING A PORTION OF THE LANDS CONVEYED TO ROBERT W. GWYNNE, JR., TRUSTEE OF THE ROBERT W. GWYNNE, JR. LIVING TRUST DATED APRIL 25, 2008, AS RECORDED IN RECORD BOOK 838, PAGE 3331, IN THE OFFICE OF THE REGISTER OF DEEDS FOR RUTHERFORD COUNTY, TENNESSEE.

#### TRACT 2

(SURVEY LEGAL OF HARRIS PARCEL)

SUBJECT PROPERTY IS PRESENTLY IDENTIFIED AS PARCELS 5 & 6, ON RUTHERFORD COUNTY TAX MAP 51. SAID PARCEL IS FURTHER IDENTIFIED AS A PORTION OR ALL OF THE PROPERTY DESCRIBED IN DEED BOOK 211, PAGE 433, DEED BOOK 342, PAGES 846 IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

LAND LYING IN THE 4TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, AND BEING BOUNDED ON THE SOUTH BY LEE ROAD (50' ROW PERSCRIPTIVE); ON THE WEST BY GREGORY VOGEL AS OF RECORD IN DEED BOOK 1795, PAGE 3388 IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE (RORCTN), HAROLD WAYNE LEE AS OF RECORD IN DEED BOOK 832, PAGE 2022, RORCTN, DAVID & LUNETTE LEE AS OF RECORD IN DEED BOOK 269, PAGE 1960, RORCTN, & ROBERT W GWYNN JR, AS OF RECORD IN DEED BOOK 164, PAGE 131, RORCTN; ON THE NORTH BY ROBERT W GWYNN JR, AS OF RECORD IN DEED BOOK 164, PAGE 131, RORCTN, AND ON THE EAST BY CHARLES & PATRICIA BURLIN AS OR RECORD IN DEED BOOK 605, PAGE 362, RORCTN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET IN THE NORTHERN ROW OF LEE ROAD HAVING A STATE PLANE COORDINATE OF NORTH 587,229.1096 EAST 1,791,608.2964 AND BEING THE SOUTHEAST CORNER OF VOGEL;

THENCE, WITH VOGEL'S EAST BOUNDARY, THE FOLLOWING CALLS:

N 26°53'44" W, FOR A DISTANCE OF 30.25 FEET TO AN IRON PIN SET;  
N 7°1'44" E, FOR A DISTANCE OF 428.70 FEET TO AN IRON PIN FOUND IN THE SOUTHEAST CORNER OF HAROLD LEE;

THENCE, WITH HAROLD LEE'S EAST BOUNDARY, THE FOLLOWING CALLS:

N 6°54'23" E, FOR A DISTANCE OF 96.65 FEET TO AN 18" TREE WITH WIRE;  
N 7°35'28" E, FOR A DISTANCE OF 115.25 FEET TO A FENCE POST FOUND;  
N 6°38'53" E, FOR A DISTANCE OF 272.83 FEET TO AN IRON PIN FOUND AT THE CORNER OF HAROLD LEE, DAVID LEE, AND GWYNNE;

THENCE, WITH THE EAST AND SOUTH BOUNDARY OF GWYNNE, THE FOLLOWING CALLS:

N 8°46'28" E, FOR A DISTANCE OF 381.56 FEET TO A FENCE POST FOUND;  
S 81°59'17" E, FOR A DISTANCE OF 636.62 FEET TO A FENCE POST FOUND;

S 81°52'12" E, FOR A DISTANCE OF 283.54 FEET TO A FENCE POST FOUND;  
S 81°35'21" E, FOR A DISTANCE OF 286.72 FEET TO AN IRON PIN SET IN THE WEST  
BOUNDARY OF BURLIN;

THENCE, WITH BURLIN'S WEST BOUNDARY, THE FOLLOWING CALLS:

S 8°32'30" W, FOR A DISTANCE OF 528.44 FEET TO AN IRON PIN FOUND;  
N 82°45'14" W, FOR A DISTANCE OF 25.20 FEET TO AN IRON PIN FOUND;  
S 8°46'5" W, FOR A DISTANCE OF 344.54 FEET TO AN IRON PIN SET IN THE NORTH ROW OF  
LEE ROAD;

THENCE, WITH THE NORTH ROW OF LEE ROAD, THE FOLLOWING CALLS:

S 82°54'58" W, FOR A DISTANCE OF 287.44 FEET TO AN IRON PIN SET;  
S 82°30'26" W, FOR A DISTANCE OF 181.91 FEET TO AN IRON PIN SET;  
S 82°49'24" W, FOR A DISTANCE OF 215.31 FEET TO AN IRON PIN SET;  
S 82°4'4" W, FOR A DISTANCE OF 76.35 FEET TO AN IRON PIN SET;  
ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1025.00 FEET, AN ARC LENGTH OF  
104.81 FEET, A DELTA ANGLE OF 05° 51' 32", A CHORD BEARING OF S 79°8'18" W, AND A  
CHORD DISTANCE OF 104.77 FEET TO AN IRON PIN SET;  
S 76°12'33" W, FOR A DISTANCE OF 13.91 FEET TO AN IRON PIN SET;  
ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 824.80 FEET, AN ARC LENGTH OF  
363.46 FEET, A DELTA ANGLE OF 25° 14' 53", A CHORD BEARING OF S 63°35'6" W, AND A  
CHORD DISTANCE OF 360.53 FEET TO THE POINT OF BEGINNING, CONTAINING 1,248,616.1  
SQ.FT. OR 28.664 ACRES MORE OR LESS BASED ON A FIELD RUN SURVEY BY WILSON &  
ASSOCIATES, P.C. JULY 28, 2020.

### True Copy Certification

I, Nick Kallof, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

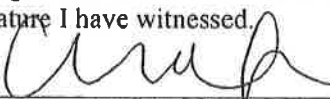


Signature

State of Arizona

County of Maricopa

Personally appeared before me, Lauren Ogino, a notary public for this county and state, Nick Kallof who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary's Signature

My Commission Expires: 5/21/2022  
Notary' Seal (if on paper)



# **EXHIBIT 2**









# EXHIBIT 3

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
)  
Petitioner, )  
)  
v. )  
)  
ALL INTERESTED PERSONS HAVING )  
ANY RIGHT OR EASEMENT OR OTHER )  
INTEREST, RIGHT IN, OR INCIDENT OR )  
APPURTENANT TO CERTAIN HUMAN )  
REMAINS LOCATED ON A PORTION OF )  
THE PROPERTIES IDENTIFIED AS TAX )  
MAP 051 PARCEL 00500, TAX MAP 051 )  
PARCEL 00700, AND TAX MAP 032 )  
PARCEL 02000, RUTHERFORD COUNTY )  
TAX ASSESSOR'S OFFICE, )  
)  
Defendants.

No. \_\_\_\_\_

**AFFIDAVIT OF KEVIN STURGILL**

Comes now the affiant, having been duly sworn, hereby deposes and states as follows:

1. My name is Kevin Sturgill. I am over 18 years of age and have personal knowledge of the facts stated herein, which are true and correct.
2. I am the Vice President of Land and Authorized Agent for Lennar Homes of Tennessee, LLC ("Lennar").
3. I submit this affidavit in support of Lennar's Petition to Relocate Remains and Terminate Burial Ground.
4. Lennar is the owner of properties located in Rutherford County, Tennessee, conveyed to Lennar by specialty warranty deed in Record Book 1971, Pages 3974-89 and by quitclaim deed in Record Book 1971, Pages 3990-96 in the Register's Office for Rutherford County, Tennessee (collectively, the "Property") and depicted in the attached boundary surveys

attached to the Petition. See Petition, Collective Exhibit 1, Special Warranty Deed and Quitclaim Deed; Petition, Collective Exhibit 2, Boundary Surveys.

5. During the course of site preparation work for a residential development on the Property, Lennar identified several marked and unmarked graves on the Property (the “Burials”).

6. The individuals who are known to be buried on the Property and their nearest relatives, identified as the Known Defendants, are referenced below:

<u>Deceased</u>	<u>Known Defendants</u>
Fannie Holland (3/11/1881—4/28/1889)	Vincion (great-niece), Chaffin (great-niece), Martin (great-niece), Guthrie (great-nephew), Wood (great-niece)
Mary Holland Vincent (1/11/1877—7/5/1902)	Vincion (great-niece), Chaffin (great-niece), Martin (great-niece), Guthrie (great-nephew), Wood (great-niece)
William E. Holland (7/1850—8/18/1933)	Vincion (great-grandchild), Chaffin (great-grandchild), Martin (great-grandchild), Guthrie (great-grandchild), Wood (great-grandchild)
Clara Butts Holland (7/26/1859-4/16/1939)	Vincion (great-grandchild), Chaffin (great-grandchild), Martin (great-grandchild), Guthrie (great-grandchild), Wood (great-grandchild)
Eugenia Holland Verlin (1/17/1883—1/24/1962)	Vincion (grandchild), Chaffin (grandchild), Martin (grandchild), Guthrie (great-

	nephew), Wood (great-niece)
Mattie Holland Guthrie (3/14/1892—3/5/1965)	Vincion (great-niece), Chaffin (great-niece), Martin (great-niece), Guthrie (grandchild), Wood (grandchild)

7. None of the Burials are Native American Indian human remains.

8. Despite considerable time and effort directed at development alternatives to allow the Burials to remain undisturbed, Lennar has determined that the limited area within which to locate necessary developments requires Lennar to seek authority to remove and relocate the Burials.

9. The Property is unsuitable for use as a burial ground and as a resting place for the Burials. Specifically, the planned construction activities and ultimate use of the Property in the area of the Burials is inconsistent with due and proper reverence or respect for the memory of the dead.

10. Lennar has developed definite and appropriate arrangements for the disinterment, relocation, and reburial of the Burials and will proceed in accordance with all applicable laws, regulations and with due care, respect, and decency, and that suitable memorial or memorials will be erected at the place of reinterment.

11. Specifically, Lennar has contracted with Clark Grave Vault and Thomas Bucher (Funeral Director) for the disinterment, relocation, and reburial of the Burials, which are being relocated to Mapleview Cemetery in Smyrna, Tennessee (the "Relocation Site").

12. Upon approval by this Court, Lennar will disinter, relocate, and rebury the Burials at the Relocation Site in accordance with all applicable laws, regulations and with due care, respect, and decency, and that suitable memorial or memorials will be erected at the place of

reinterment.

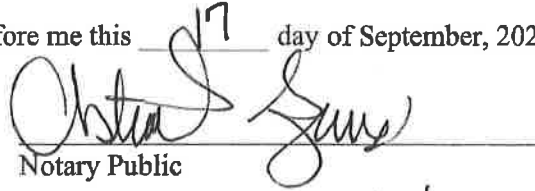
FURTHER THIS AFFIANT SAITH NOT.



\_\_\_\_\_  
KEVIN STURGILL

STATE OF TENNESSEE        )  
COUNTY OF WILLIAMSON    )

Sworn to and subscribed before me this 17 day of September, 2021.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3/20/22



# **EXHIBIT 4**

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
)  
Petitioner, )  
)  
v. )  
)  
ALL INTERESTED PERSONS HAVING )  
ANY RIGHT OR EASEMENT OR OTHER )  
INTEREST, RIGHT IN, OR INCIDENT OR )  
APPURTENANT TO CERTAIN HUMAN )  
REMAINS LOCATED ON A PORTION OF )  
THE PROPERTIES IDENTIFIED AS TAX )  
MAP 051 PARCEL 00500, TAX MAP 051 )  
PARCEL 00700, AND TAX MAP 032 )  
PARCEL 02000, RUTHERFORD COUNTY )  
TAX ASSESSOR'S OFFICE, )  
)  
Defendants.

No. \_\_\_\_\_

**AFFIDAVIT OF CAROL LANNOM VINCION AND WAIVER OF FORMAL SERVICE  
OF PROCESS**

Comes now the affiant, having been duly sworn, hereby deposes and states as follows:

1. My name is Carol Lannom Vincion. I am over 18 years of age and have personal knowledge of the facts stated herein, which are true and correct.
2. I reside at 1571 Underwood Road, Mt. Juliet, Tennessee 37122.
3. I submit this affidavit in support of Lennar Homes of Tennessee, LLC's Petition to Relocate Remains and Terminate Burial Ground (the "Petition").
4. Lennar Homes of Tennessee, LLC ("Lennar") has acquired property located in Rutherford County, Tennessee (the "Property") and is seeking to re-develop the Property as described in the Petition.
5. Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie are buried on the Property (the "Burials").



6. Myrtle Jean Chaffin, Belinda Verlin Martin, Hollis G. Guthrie, Marsha Wood, and myself are the nearest living relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie.

7. I am Fannie Holland's, Mary Holland Vincent's, and Mattie Holland Guthrie's great-niece, William E. Holland's and Clara Butts Holland's great-grandchild, and Eugenia Holland Verlin's grandchild.

8. I understand that the Petition seeks an order from the Court to remove and relocate the Burials from the Property to Mapleview Cemetery in Smyrna, Tennessee (the "Relocation Site") at Lennar's expense.

9. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that Lennar be permitted to remove and relocate the Burials from the Property to the Relocation Site.

10. I understand that I have a right to be personally and formal served with a copy of the Petition. I hereby waive any of my rights to personal service of process.

11. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that the Court terminate the use of, and all rights and easements to use the Property as a burial ground, and all rights and easements incident or appurtenant to the Property as a burial ground.

FURTHER THIS AFFIANT SAITH NOT.

Carol Lannom Vincion  
CAROL LANNOM VINCION

STATE OF TENNESSEE )  
COUNTY OF Wilson )

Sworn to and subscribed before me this 23rd day of September 2021.



Lindsey Barber  
Notary Public

My Commission Expires: 08/28/2024

# **EXHIBIT 5**

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
)  
Petitioner, )  
)  
v. )  
)  
ALL INTERESTED PERSONS HAVING )  
ANY RIGHT OR EASEMENT OR OTHER )  
INTEREST, RIGHT IN, OR INCIDENT OR )  
APPURTENANT TO CERTAIN HUMAN )  
REMAINS LOCATED ON A PORTION OF )  
THE PROPERTIES IDENTIFIED AS TAX )  
MAP 051 PARCEL 00500, TAX MAP 051 )  
PARCEL 00700, AND TAX MAP 032 )  
PARCEL 02000, RUTHERFORD COUNTY )  
TAX ASSESSOR'S OFFICE, )  
)  
Defendants.

No. \_\_\_\_\_

**AFFIDAVIT OF MYRTLE JEAN CHAFFIN AND WAIVER OF FORMAL SERVICE  
OF PROCESS**

Comes now the affiant, having been duly sworn, hereby deposes and states as follows:

1. My name is Myrtle Jean Chaffin. I am over 18 years of age and have personal knowledge of the facts stated herein, which are true and correct.
2. I reside at 1107 Clark Street, Old Hickory, Tennessee 37138.
3. I submit this affidavit in support of Lennar Homes of Tennessee, LLC's Petition to Relocate Remains and Terminate Burial Ground (the "Petition").
4. Lennar Homes of Tennessee, LLC ("Lennar") has acquired property located in Rutherford County, Tennessee (the "Property") and is seeking to re-develop the Property as described in the Petition.
5. Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie are buried on the Property (the "Burials").

6. Carol Lannom Vincion, Belinda Verlin Martin, Hollis G. Guthrie, Marsha Wood, and myself are the nearest living relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie.

7. I am Fannie Holland's, Mary Holland Vincent's, and Mattie Holland Guthrie's great-niece, William E. Holland's and Clara Butts Holland's great-grandchild, and Eugenia Holland Verlin's grandchild.

8. I understand that the Petition seeks an order from the Court to remove and relocate the Burials from the Property to Mapleview Cemetery in Smyrna, Tennessee (the "Relocation Site") at Lennar's expense.

9. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that Lennar be permitted to remove and relocate the Burials from the Property to the Relocation Site.

10. I understand that I have a right to be personally and formal served with a copy of the Petition. I hereby waive any of my rights to personal service of process.

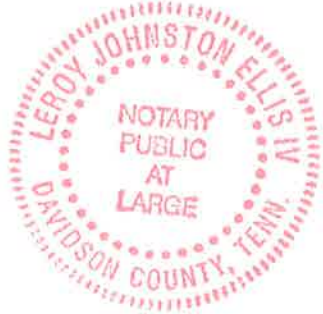
11. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that the Court terminate the use of, and all rights and easements to use the Property as a burial ground, and all rights and easements incident or appurtenant to the Property as a burial ground.

FURTHER THIS AFFIANT SAITH NOT.

Myrtle Jean Chaffin  
MYRTLE JEAN CHAFFIN

STATE OF TENNESSEE            )  
COUNTY OF Davidson        )

Sworn to and subscribed before me this 20<sup>th</sup> day of Sep., 2021.



Leroy Johnston Ellis III  
Notary Public  
My Commission Expires: 03/06/2024

# **EXHIBIT 6**

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 ALL INTERESTED PERSONS HAVING )  
 ANY RIGHT OR EASEMENT OR OTHER )  
 INTEREST, RIGHT IN, OR INCIDENT OR )  
 APPURTENANT TO CERTAIN HUMAN )  
 REMAINS LOCATED ON A PORTION OF )  
 THE PROPERTIES IDENTIFIED AS TAX )  
 MAP 051 PARCEL 00500, TAX MAP 051 )  
 PARCEL 00700, AND TAX MAP 032 )  
 PARCEL 02000, RUTHERFORD COUNTY )  
 TAX ASSESSOR'S OFFICE, )  
 )  
 Defendants.

No. \_\_\_\_\_

**AFFIDAVIT OF BELINDA VERLIN MARTIN AND WAIVER OF FORMAL SERVICE  
OF PROCESS**

Comes now the affiant, having been duly sworn, hereby deposes and states as follows:

1. My name is Belinda Verlin Martin. I am over 18 years of age and have personal knowledge of the facts stated herein, which are true and correct.
2. I reside at 10 Hattie Drive, Fayetteville, Tennessee 37334.
3. I submit this affidavit in support of Lennar Homes of Tennessee, LLC's Petition to Relocate Remains and Terminate Burial Ground (the "Petition").
4. Lennar Homes of Tennessee, LLC ("Lennar") has acquired property located in Rutherford County, Tennessee (the "Property") and is seeking to re-develop the Property as described in the Petition.
5. Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie are buried on the Property (the "Burials").



6. Carol Lannom Vincion, Myrtle Jean Chaffin, Hollis G. Guthrie, Marsha Wood, and myself are the nearest living relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie.

7. I am Fannie Holland's, Mary Holland Vincent's, and Mattie Holland Guthrie's great-niece, William E. Holland's and Clara Butts Holland's great-grandchild, and Eugenia Holland Verlin's grandchild.

8. I understand that the Petition seeks an order from the Court to remove and relocate the Burials from the Property to Mapleview Cemetery in Smyrna, Tennessee (the "Relocation Site") at Lennar's expense.

9. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that Lennar be permitted to remove and relocate the Burials from the Property to the Relocation Site.

10. I understand that I have a right to be personally and formal served with a copy of the Petition. I hereby waive any of my rights to personal service of process.

11. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that the Court terminate the use of, and all rights and easements to use the Property as a burial ground, and all rights and easements incident or appurtenant to the Property as a burial ground.

FURTHER THIS AFFIANT SAITH NOT.

Belinda Verlin Martin  
BELINDA VERLIN MARTIN

STATE OF TENNESSEE )  
COUNTY OF Lincoln )

Sworn to and subscribed before me this 21<sup>st</sup> day of September 2021.

Danielle Bradford  
Notary Public

My Commission Expires: March 15, 2025



# EXHIBIT 7

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
 )  
Petitioner, )  
 )  
v. )

No. \_\_\_\_\_

ALL INTERESTED PERSONS HAVING )  
ANY RIGHT OR EASEMENT OR OTHER )  
INTEREST, RIGHT IN, OR INCIDENT OR )  
APPURTENANT TO CERTAIN HUMAN )  
REMAINS LOCATED ON A PORTION OF )  
THE PROPERTIES IDENTIFIED AS TAX )  
MAP 051 PARCEL 00500, TAX MAP 051 )  
PARCEL 00700, AND TAX MAP 032 )  
PARCEL 02000, RUTHERFORD COUNTY )  
TAX ASSESSOR'S OFFICE, )  
 )

Defendants.

**AFFIDAVIT OF HOLLIS G. GUTHRIE AND WAIVER OF FORMAL SERVICE OF  
PROCESS**

Comes now the affiant, having been duly sworn, hereby deposes and states as follows:

1. My name is Hollis G. Guthrie. I am over 18 years of age and have personal knowledge of the facts stated herein, which are true and correct.
2. I reside at 241 McClaran Place, Murfreesboro, Tennessee 37129.
3. I submit this affidavit in support of Lennar Homes of Tennessee, LLC's Petition to Relocate Remains and Terminate Burial Ground (the "Petition").
4. Lennar Homes of Tennessee, LLC ("Lennar") has acquired property located in Rutherford County, Tennessee (the "Property") and is seeking to re-develop the Property as described in the Petition.
5. Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie are buried on the Property (the "Burials").

6. Carol Lannom Vincion, Myrtle Jean Chaffin, Belinda Verlin Martin, Marsha Wood, and myself are the nearest living relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie.

7. I am Fannie Holland's, Mary Holland Vincent's, and Eugenia Holland Verlin's great-nephew, William E. Holland's and Clara Butts Holland's great-grandchild, and Mattie Holland Guthrie's grandchild.

8. I understand that the Petition seeks an order from the Court to remove and relocate the Burials from the Property to Mapleview Cemetery in Smyrna, Tennessee (the "Relocation Site") at Lennar's expense.

9. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that Lennar be permitted to remove and relocate the Burials from the Property to the Relocation Site.

10. I understand that I have a right to be personally and formal served with a copy of the Petition. I hereby waive any of my rights to personal service of process.

11. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that the Court terminate the use of, and all rights and easements to use the Property as a burial ground, and all rights and easements incident or appurtenant to the Property as a burial ground.

FURTHER THIS AFFIANT SAITH NOT.

Hollis G. Guthrie  
HOLLIS G. GUTHRIE

STATE OF TENNESSEE )  
COUNTY OF Rutherford )

Sworn to and subscribed before me this 14 day of Sept, 2021.

Cara Solimine Rhodes  
Notary Public

My Commission Expires: 11/20/23



# **EXHIBIT 8**

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
16TH JUDICIAL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

LENNAR HOMES OF TENNESSEE, LLC, )  
)  
Petitioner, )  
)  
v. )  
)  
ALL INTERESTED PERSONS HAVING )  
ANY RIGHT OR EASEMENT OR OTHER )  
INTEREST, RIGHT IN, OR INCIDENT OR )  
APPURTENANT TO CERTAIN HUMAN )  
REMAINS LOCATED ON A PORTION OF )  
THE PROPERTIES IDENTIFIED AS TAX )  
MAP 051 PARCEL 00500, TAX MAP 051 )  
PARCEL 00700, AND TAX MAP 032 )  
PARCEL 02000, RUTHERFORD COUNTY )  
TAX ASSESSOR'S OFFICE, )  
)  
Defendants.

No. \_\_\_\_\_

**AFFIDAVIT OF MARSHA WOOD AND WAIVER OF FORMAL SERVICE OF  
PROCESS**

Comes now the affiant, having been duly sworn, hereby deposes and states as follows:

1. My name is Marsha Wood. I am over 18 years of age and have personal knowledge of the facts stated herein, which are true and correct.
2. I reside at 233 Water Mill Road, # 57, Cowpens, South Carolina 29330.
3. I submit this affidavit in support of Lennar Homes of Tennessee, LLC's Petition to Relocate Remains and Terminate Burial Ground (the "Petition").
4. Lennar Homes of Tennessee, LLC ("Lennar") has acquired property located in Rutherford County, Tennessee (the "Property") and is seeking to re-develop the Property as described in the Petition.
5. Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie are buried on the Property (the "Burials").



6. Carol Lannom Vincion, Myrtle Jean Chaffin, Belinda Verlin Martin, Hollis G. Guthrie, and myself are the nearest living relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie.

7. I am Fannie Holland's, Mary Holland Vincent's, and Eugenia Holland Verlin's great-niece, William E. Holland's and Clara Butts Holland's great-grandchild, and Mattie Holland Guthrie's grandchild.

8. I understand that the Petition seeks an order from the Court to remove and relocate the Burials from the Property to Mapleview Cemetery in Smyrna, Tennessee (the "Relocation Site") at Lennar's expense.

9. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that Lennar be permitted to remove and relocate the Burials from the Property to the Relocation Site.

10. I understand that I have a right to be personally and formally served with a copy of the Petition. I hereby waive any of my rights to personal service of process.

11. As one of the five nearest relatives of Fannie Holland, Mary Holland Vincent, William Holland, Clara Butts Holland, Eugenia Holland Verlin, and Mattie Holland Guthrie, I consent to Lennar's request that the Court terminate the use of, and all rights and easements to use the Property as a burial ground, and all rights and easements incident or appurtenant to the Property as a burial ground.

FURTHER THIS AFFIANT SAITH NOT.

Marsha Wood  
MARSHA WOOD

STATE OF SOUTH CAROLINA )  
COUNTY OF Cherokee )

Sworn to and subscribed before me this 28 day of September 2021.

Maie O. Galt  
Notary Public

My Commission Expires: April 16, 2025