

ad 8/16/19 3:36:09  
DK W BK 896 PG 786  
DESOTO COUNTY, MS  
MISTY HEFFNER, CH CLK

Prepared by: O'Brien Law Firm, LLC: 1630 Goodman Rd E, Ste 5, Southaven, MS 38671 (662) 349-3339, File No19070218

Return to: Guardian Title: 5740 Getwell Road, Bldg 6, Suite C-D, Southaven, MS 38672 (662) 262-1800

X Indexing Instructions: Sec 11, T 2, R 6, Desoto County, MS, PB 531, P 37 NEY4

### **TRUSTEE'S SPECIAL WARRANTY DEED**

Grantor(s): **Alvin J. Kruse, Trustee of the Alvin J. Kruse Living Trust and First Tennessee Bank National Association**

Address: 10575 Church St., Olive Branch, MS 38654

Phone: 662-349-3339

Grantee(s): **Paul A. Dobie**

Address: 10575 Church Street, Olive Branch, Mississippi 38654

Phone: 901-315-3034

This indenture made and entered into effective this 13 day of August, 2019, by and between **Alvin J. Kruse, Trustee of the Alvin J. Kruse Living Trust Dated May 19, 2006 and First Tennessee Bank National Association and Paul A. Dobie, a single man**

Know all men by these presents that for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned Grantor does hereby grant, bargain, convey and specially warrant unto the Grantee 100% interest in and to the following described real property, together with the improvements thereon, located in **DESOTO COUNTY, MISSISSIPPI** (collectively referred to herein as the "Property"):

SEE Exhibit "A" attached hereto and incorporated herein reference and made a part hereof.

The Grantor Constitutes the duly appointed and serving Co-Trustees of the Alvin J. Kruse Living Trust and First Tennessee Bank National Association. The Trustees named above appear herein solely in their fiduciary capacity and all warranties and covenants are made only in such capacity, The Alvin J. Kruse Living Trust was created on May 19, 2006, naming Alvin J. Kruse as the Co-Trustee and FIRST TENNESSEE BANK NATIONAL ASSOCIATION. AT THIS POINT THE INFO WAS NOT APPLICABLE ADVISE WHAT VERBIAGE I NEED TO ADD

The warranty in this deed is subject to rights-of-way and easements for public roads and public utilities, subdivision, and zoning regulations in effect in Olive Branch, Mississippi, and Desoto County, Mississippi, and further subject to all applicable building restrictions, building and all easements and restrictive covenants of record.

The warranty in this deed is subject to rights-of-way and easements for public roads and public utilities, subdivision, and zoning regulations in effect in Olive Branch, Mississippi, and Desoto County, Mississippi, and further subject to all applicable building restrictions, building and all easements and restrictive covenants of record.

It is agreed that the taxes for the current year shall be prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration is incorrect, the Grantor agrees to pay to said Grantor or its assigns and deficit on an actual proration.

The provisions in this deed notwithstanding, it is understood and agreed that the property is being conveyed herein **"AS IS, WHERE IS, WITH ALL FAULTS."** And such conveyances shall be without any representation or warranty of any kind by Grantor except as expressly set forth herein. Grantor has not made and not hereby make (except as expressly set forth herein) any representations or warranties of any kind or character whatsoever, express or implied, with respect to the property, its condition (environmental or otherwise) uses, fitness for any particular purpose, income to be derived therefrom, expenses to be incurred with respect thereto, or obligations or any matter or thing relating to or affecting the same, and Grantor hereby disclaims and renounces any such representation or warranty and Grantor makes no representations or warranties whatsoever regarding the presence or location or scope of any hazardous waste or materials in, on, or under the property. By accepting this deed and the land conveyed hereby, Grantee acknowledges that Grantee is accepting this conveyance without relying upon any such statement or representation or warranty made by the Grantor or its agent or by any other person and releases the Grantor from any responsibility from any such claim of warranty of fitness and accepts this property **"AS IS, WHERE IS, WITH ALL FAULTS."**

TO HAVE AND TO HOLD this tract of parcel of land with the appurtenances, estate, title and interest thereto belonging to the Grantee and the Grantee's heirs, successors and assigns in fee simple forever. And the Grantor does hereby covenant with the said Grantee that is lawfully seized in fee of the aforesaid real estate; that is has good right to sell and convey the same; that the same is unencumbered except as set out in Exhibit "C" attached hereto and made a part hereof; and all that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons claiming by and through Grantor as Successor Trustee, but not further or otherwise. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Possession is to be given at the delivery of this deed.

Witness the signature of the Grantor the day and year first above written.

GRANTOR:

**First Tennessee Bank National Association, Successor  
Trustee of the Alvin J. Kruse Living Trust dated the 19<sup>th</sup> day  
of May, 2006, Revised and Restated the 21<sup>st</sup> day of March,  
2007**

By 

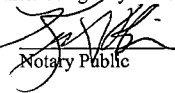
**Allen G. Paine, Senior V.P. of First Tennessee Bank, N.A.**

**STATE OF MISSISSIPPI  
COUNTY OF DESOTO**

Personally appeared before me, the undersigned authority in and for the said County and State aforesaid, on this 13<sup>th</sup> day of August, 2019 within my jurisdiction, the within named, **Allen G. Paine** who acknowledged to me that he is a Senior V.P. of **First Tennessee Bank National Association, Successor Trustee of the ALVIN J. KRUSE LIVING TRUST dated the 19<sup>th</sup> day of May, 2006, Revised and Restated the 21<sup>st</sup> day of March, 2007**, and that in said representative capacity as an officer of First Tennessee Bank National Association and its capacity as **Successor Trustee of the ALVIN J. KRUSE LIVING TRUST DATED dated the 19<sup>th</sup> day of May, 2006, Revised and Restated the 21<sup>st</sup> day of March, 2007**, he executed the above and foregoing instrument after being duly authorized so to do.

My commission expires: \_\_\_\_\_



  
Notary Public

## EXHIBIT "A"

### Legal Description

DK W BK 896 PG 789

#### TRACT NO. 1

Part of the northeast Quarter of Section 11, Township 2 South, Range 6 West, DeSoto County, Mississippi, more particularly described as COMMENCING at the northwest corner of said quarter section, thence run south 89 degrees 49 minutes 32 seconds east a distance of 374.19 feet along the north line of said quarter section to the point of beginning; thence continue south 89 degrees 49 minutes 32 seconds east a distance of 110.0 feet along said north quarter section line to a point; thence run south 00 degrees 17 minutes 25 seconds west a distance of 436.49 feet to a point which point is located in the 402.49 foot distance call north 86 degrees 46 minutes 57 seconds east as shown on plat of 10.01 acres recorded with that certain deed of date November 1979 of record in Book 144, page 471, of the deed records of DeSoto County, Mississippi; thence run north 89 degrees 39 minutes 27 seconds west a distance of 110.0 feet to a point which is contiguous with the said 402.49 foot distance call; thence run north 00 degrees 17 minutes 25 seconds east a distance of 396.17 feet to a point which is contiguous with the 420.0 foot distance call south 3 degrees 13 minutes 03 seconds east of said 10.01 acre tract; thence west parallel with section line 60.0 feet to a point; thence north 40.0 feet to a point; thence east along said section line 60.0 feet to the point of beginning, and containing 1.10 acres, more or less.

#### TRACT NO. 2

Part of the Northeast Quarter of Section 11, Township 2 South, Range 6 West, and more particularly described as follows: BEGINNING at the intersection of the West line of said Quarter Section with the North right-of-way line of U.S. Highway 78 Bypass, said point being the Southeast corner of the Sharp property; thence run North 3 degrees 06 minutes 37 seconds West a distance of 437.85 feet along said West line of Quarter Section and East line of said Sharp property to a corner of said Sharp property; thence run North 86 degrees 20 minutes 04 seconds East a distance of 314.15 feet along the South line of said Sharp property on the West and the South line of the Roberts property on the East to the Southeast corner of said Roberts property; thence run North 3 degrees 13 minutes 03 seconds West a distance of 210.00 feet along the East line of said Roberts property to the Northeast corner of said Roberts property, said point being on the South side of a public road; thence run North 86 degrees 11 minutes 00 seconds East a distance of 60.00 feet along said South side of road to a point; thence run South 3 degrees 13 minutes 03 seconds East a distance of 420.00 feet to a point; thence run North 86 degrees 46 minutes 57 seconds East a distance of 402.49 feet to a point; thence run South 3 degrees 13 minutes 03 seconds East a distance of 607.90 feet to a point on said North highway right-of-way line; thence run South 60 degrees 37 minutes 30 seconds West a distance of 57.38 feet along said right-of-way line to a point; thence run North 64 degrees 13 minutes 33 seconds West a distance of 829.95 feet along said right-of-way line to the Point of Beginning and containing 10.01 acres, more or less. All bearings are magnetic.

# STATE OF MISSISSIPPI

## MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS



10147100

2011-10-26 09:22

FILED  
DATE NOV 21 2011

### CERTIFICATE OF DEATH STATE OF MISSISSIPPI

STATE FILE NO. 123

|   |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|
| 1. NAME First<br><b>Alvin Joseph Kruse, Jr.</b>   |  | 2. SEX<br><b>M</b>   |  | 3a. HOUR OF DEATH<br><b>4:55 pm</b>  |  | 3b. DATE OF DEATH (Month, Day, Year)<br><b>October 26, 2011</b>    |  |
| 4. RACE (Specify White, Black, American Indian, etc.)<br><b>White</b>   |  | 5a. AGE AT LAST BIRTHDAY<br><b>82</b>  |  | 6. ONLY IF UNDER 1 YEAR<br>a. MONTH b. DAYS<br><b>00 00</b>  |  | 7. DATE OF BIRTH (Month, Day, Year)<br><b>August 18, 1929</b>      |  |
| 8. PLACE OF DEATH (Check only one box)<br><input type="checkbox"/> Hospital <input type="checkbox"/> Physician <input type="checkbox"/> Other |  | 9. DEATH OCCURRED IN A HOSPITAL  |  | 10. DEATH OCCURRED IN A HOSPITAL   |  | 11. STATE OF BIRTH<br><b>Missouri</b>                              |  |
| 12. FACILITY NAME (If not a facility, give street address, room number, or other location)<br><b>10575 Church Street</b>                      |  |  |  | 13. CITY, TOWN OR LOCATION OF DEATH<br><b>Olive Branch</b>   |  | 14. COUNTY OF DEATH<br><b>Desoto</b>                               |  |
| 15. DECEASED'S EDUCATION (Specify only highest grade completed)<br><b>Elementary School</b>   |  | 16. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)<br><b>Widowed</b>  |  | 17. SURVIVING SPOUSE (If with, give maiden name)<br><b>N/A</b>   |  | 18. WAS DECORATED EVER IN U.S. ARMED FORCES (Yes or No) <b>Yes</b> |  |
| 19. WAS INCIDENT OF HUMANITARIAN? (If yes, specify Cause, Action, Person Name, etc.)<br><b>No</b>   |  | 20. SOCIAL SECURITY NUMBER<br><b>[REDACTED]</b>  |  | 21. USUAL OCCUPATION (Kind of work done, not of working time)<br><b>Director of Employment</b>                         |  | 22. KIND OF BUSINESS OR INDUSTRY<br><b>MLGW</b>                    |  |
| 23a. RESIDENCE - STREET<br><b>Mississippi</b>   |  | 23b. COUNTY<br><b>Desoto</b>   |  | 23c. CITY OR TOWN<br><b>Olive Branch</b>   |  | 23d. HOME CITY (Specify Yes or No) <b>Yes</b>                      |  |
| 24. FATHER'S NAME - First Last<br><b>Alvin Joseph Kruse, Sr.</b>  |  | 25. MOTHER'S NAME - First Last<br><b>Mary</b>  |  | 26. MAILING ADDRESS (Street and number, City or town, State, ZIP Code)<br><b>P.O. Box 1071, Olive Branch, MS 38654</b> |  | 27. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 28. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 29. MAILING ADDRESS (Street and number, City or town, State, ZIP Code)<br><b>P.O. Box 1071, Olive Branch, MS 38654</b> |  | 30. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 31. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 32. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 33. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 34. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 35. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 36. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 37. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 38. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 39. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 40. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 41. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 42. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 43. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 44. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 45. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 46. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 47. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 48. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 49. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 50. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 51. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 52. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 53. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 54. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 55. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 56. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 57. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 58. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 59. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 60. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 61. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 62. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 63. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 64. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 65. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 66. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 67. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 68. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 69. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 70. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 71. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 72. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 73. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 74. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 75. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 76. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 77. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 78. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 79. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 80. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 81. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 82. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 83. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 84. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 85. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 86. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 87. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 88. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 89. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 90. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 91. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 92. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 93. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 94. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 95. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 96. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>   |  | 97. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 98. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>   |  | 99. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                   |  |
| 100. DECEASED'S RELATIONSHIP TO DECEASED<br><b>Son</b>  |  | 101. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>  |  | 102. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>  |  | 103. TYPE OF DEATH (Specify Yes or No) <b>Yes</b>                  |  |

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Mississippi State Department of Health

Revised 1-4-08

Form 511

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

11/29/2011

Exhibit "B"

Judy Moulder  
STATE REGISTRAR

WARNING: A REPRODUCTION OF THIS DOCUMENT RENDERS IT VOID AND INVALID. DO NOT ACCEPT UNLESS EMBOSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER OR COUNTERFEIT THIS DOCUMENT.

VERIFY PRESENCE OF WATERMARK. HOLD TO LIGHT TO VIEW

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND AND A WATERMARK. TO PROTECT YOUR PRIVACY, WE HAVE BLURRED THE FACE OF THIS DOCUMENT. TO VERIFY THE WATERMARK, HOLD THE DOCUMENT TO THE LIGHT.

**EXHIBIT "C"**

This conveyance is made subject to the easements of record in Book 435, Page 1 and Book 434, Page 797, in the Chancery Clerk's Office of Desoto County, Mississippi; all other matters of record; and all municipal taxes and assessments not yet due and payable, which the Grantee hereby assumes and agrees to pay.