3762

WARRANTY DEED

For and in consideration of the sum of Eight Thousand, Nine Hundred, Forty, and 23/100 - - - - - - - - - - - - - - - - - - ($8,940.23) - - - - - - - - - - - - - - - - - - *DOLLARS* of which, $1,200.00 has been paid in cash by Beatrice L. Foster, the receipt of which is hereby acknowledged; and for the remainder the said Beatrice L. Foster has assumed and agreed to pay the unpaid balance of $7,740.23 of an original indebtedness of $9,150.00, secured by deed of trust of record in book 2517, page 113, Register's Office for Davidson County, Tennessee,

We, Robert E. Fogarty and wife, Helen B. Fogarty,

have bargained and sold, and by these presents do transfer and convey unto the said Beatrice L. Foster, her

heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Being Lot No. 5 on the Plan of Scott Avenue Annex, of record in book 2331, page 87, Register's Office for said County.
Said Lot No. 5 fronts 50 feet on the southerly side of Straightway Avenue and runs back 124 feet on the westerly line and 134 feet on the easterly line to a dead line, measuring 50.65 feet thereon.
Being the same real property conveyed to Robert E. Fogarty and wife, Helen B. Fogarty, by deed from John U. Wilson and wife, of record in book 2536, page 381, said Register's Office.

This conveyance is made subject to 10-foot easement for public utilities along the rear line of premises, additional ten-foot easement for sewer on rear part of premises and 30-foot building setback line from Straightway Avenue, as shown on plan of record in book 2331, page 87, said Register's Office; and to restrictive covenants contained in an instrument of record in book 2485, page 634, said Register's Office.

To have and to hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Beatrice L. Foster, her *heirs and assigns, forever.*

And we *do covenant with the said* Beatrice L. Foster, *that* we are *lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered,* except taxes for 1964 which are prorated and assumed by the grantee, and as above set out.

And we *do further covenant and bind* ourselves, our *heirs and representatives, to warrant and forever defend the title to the said land to the said* Beatrice L. Foster, her *heirs and assigns against the lawful claims of all persons, whomsoever.*

Witness our *hand* s *this* 8th *day of* May, *19* 64, *the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.*

Robert E Fogarty

Helen B Fogarty

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, Richard C [illegible], *a Notary Public in and for said County and State,* Robert E. Fogarty and wife, Helen B. Fogarty,

*the within named bargainor*s *, with whom I am personally acquainted, and who acknowledged executed the within instrument for the purposes therein contained.*

Witness my hand and official seal at Nashville *this* 12th *day of* May, *19* 64.

Richard C [illegible] *Notary Public*

NOTARY PUBLIC

Commission expires 4-28-68

607