THIS INSTRUMENT PREPARED BY: Mark J. Mathiesen, Attorney at Law
223 Madison St., Madison, TN 37115

# WARRANTY DEED

BOOK 5311 PAGE 614

| ADDRESS NEW OWNER (S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP PARCEL NUMBERS |
|---|---|---|
| EVERETT J. UPCHURCH, ET UX | Same. | Map 43-13 |
| (NAME) 136 South Gallatin Rd. | (NAME) | Par. 36 |
| (STREET ADDRESS OR ROUTE NUMBER) Madison, Tn. 37115 | (STREET ADDRESS) | |
| (CITY) (P. O. ZONE) (STATE) | (CITY) (ZONE) (STATE) | |

FOR AND IN CONSIDERATION of the sum of ----------TEN AND NO/100----------

----------($10.00)---------- Dollars,

cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, including Grantees assuming a certain indebtedness secured by installment deed of record in Book 4226, page 703, Register's Office for Davidson County, Tennessee as modified by instrument of record in Book ____, page ____, Register's Office for Davidson County, Tennessee, and being recorded simultaneously herewith, and Grantees agree to hold Grantors harmless from same, JOHN LLOYD JERNIGAN AND WIFE, NELLE H. JERNIGAN, hereinafter referred to as Grantors,

have this day bargained and sold, and do hereby transfer and convey unto the said EVERETT J. UPCHURCH AND WIFE, DOROTHY SUE UPCHURCH, hereinafter referred to as Grantees, their (successors), heirs and assigns, certain real estate in Davidson County, Tennessee, as follows:

Being Lots Nos. 9 and 10 on the Map of Madison Commerce Center Subdivision, as of record in Book 457, page 130, Register's Office for Davidson County, Tennessee. Said Lots Nos. 9 and 10 adjoin and front together 50 feet, more or less, on the north side of Old Hickory Boulevard, formerly Sweetbrier Avenue, and run back between parallel lines 129 feet, more or less, on the west line of Lot 9 and 129 feet, more or less, on the east line of Lot No. 10 to an alley in the rear measuring 50 feet thereon.

Being the same property conveyed to John Lloyd Jernigan and wife, Nelle H. Jernigan by deed from Elizabeth Crane Williams of record in Book 4226, page 703, Register's Office for Davidson County, Tennessee.

This conveyance is subject to party wall agreement entered into by Dan Eller et al, of record in Book 1784, page 398, Register's Office for Davidson County, Tennessee, to which reference is here made and it is also subject to notice that by survey of Harvey Gee, Surveyor in 1949, certain pillars of a building located on Lots Nos. 9 and 10 encroached slightly onto Lot No. 11 and that said building and certain pillars of same encroach onto Lot No. 8 in the same subdivision.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value whichever is greater, for this transfer is $ 29,500.00

Subscribed and sworn to before me, this the 3rd day of July, 19 78

Affiant: Everett J. Upchurch

My commission expires: 2-18-82 (Affix Seal)

Notary Public: Mark J. Mathiesen

This is unimproved ( ) improved ( ) property, known as ____ (House Number) ____ (Street) ____ P. O. Address: ____ (City or Town)

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest belonging to the said grantees, their (successors), heirs and assigns forever. We covenant that we are lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered.

We further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to said real estate to said grantees, their (successors), heirs and assigns, against the lawful claims of all persons.

Witness our hand s this 3rd day of July, 19 78 the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.

John Lloyd Jernigan

Nelle H. Jernigan

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STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

*Personally appeared before me,* the undersigned *a Notary Public in and for said County and State,* JOHN LLOYD JERNIGAN AND WIFE, NELLE H. JERNIGAN

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

*Witness my hand and official seal at* Madison, Tennessee
*this* 3rd *day of* July, *1978*

Mark J. Mathews
Notary Public

NOTARY PUBLIC DAVIDSON COUNTY

*Commission expires* 2-18-80

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

*Before me,* ....., *a Notary Public of the State and County aforesaid, personally appeared* ....., *with whom I am personally acquainted, and who, upon oath, acknowledged* .....*self to be* ..... *of the* ....., *the within named bargainor, a corporation, and that* .....*he as such* ....., *being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by* .....*self as* .....

*Witness my hand and seal, at office in* ....., *this* .....*day of* ....., *19*.....

.....*Notary Public*

*Commission expires* .....

| | | | | | |
|---|---|---|---|---|---|
| JUL 17 78 | CONV | 29,500.00 | | | |
| JUL 17 78 | S'TAX | | B* | 76.70 | |
| JUL 17 78 | PR'FEE | | B* | .50 | |
| JUL 17 78 | W'DEED | | B* | 4.00 | * 81.20 |

**WARRANTY DEED**

FROM
JOHN LLOYD JERNIGAN, ET UX

TO
EVERETT J. UPCHURCH, ET UX

E. 7. 6. 9. 1. 4.

IDENTIF. REFERENCE

JUL 17 9 28 AM '78

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

Compliments of
Commonwealth Title Agency
of Nashville, Inc.
Suite 112 Madison Bldg.
223 Madison St.
MADISON, TENNESSEE 37115