THIS INSTRUMENT PREPARED BY
H. SCOTT WILLIAMS
WATKINS, McGUGIN, McNEILLY
& ROWAN
18th Floor, First American Center
Nashville, Tennessee 37238-0110

11-24

WARRANTY DEED

BOOK 6939 PAGE 470

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO	MAP-PARCEL NUMBERS
James B. Spears and Shearer R. Spears 1442 Twin Feather Murfreesboro, TN. 37130	SAME	Tract I Map: 42-13 Parcel: 81 Tract II Map 42-13 Parcel: 12.01

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $17,500.00.

AFFIANT

SUBSCRIBED AND SWORN to before me this 4th day of August, 1986.

NOTARY PUBLIC

My Commission Expires:

12/12/86

28180

IDENTIFICATION REFERENCE

Aug 5 8 53 AM '86

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

FOR AND IN CONSIDERATION of the sum of Seventeen Thousand Five Hundred Dollars ($17,500.00), the receipt of which is hereby acknowledged, we, JOHN GROVER McSWAIN, ANNE BARTON McSWAIN, and ROBERT L. POE, Co-Trustees under the Will of Dr. Barton McSwain, deceased, have this day bargained and sold and do hereby transfer and convey unto JAMES B. SPEARS and SHEARER R. SPEARS, the Grantees herein, their successors, heirs, and assigns, certain real estate in Davidson County, Tennessee, as follows:

Tract 1

Land in Davidson County, Tennessee, being lot No. 26 on the Plan of Hedgewood Hills, Section II, as of record in Book 3700, page 44, Register's Office for Davidson County, Tennessee.

Said Lot No. 26 fronts 130 feet on the southerly side of Foxboro Drive and extends back 357.6 feet on the easterly line and 325.1 feet on the westerly line, to a line in the rear on which it measures 132.4 feet.

Being the same property conveyed to Barton McSwain, by deed from Robert C. Hanks and wife, Roma S. Hanks, of record in Book 4652, page 200, Register's Office of Davidson County, Tennesse.

Tract II

Land in Davidson County, Tennessee, a tract of land in the 11th Civil District of Davidson County, Tennessee, being the southwest part of the land conveyed to Leonard Davidson and Harold Vandercook from Luke Hannah, et al, by deed recorded in book 3032, page 261, Register's Office for said County, described as follows:

Beginning at a concrete monument in the South boundary of the above-mentioned tract, said monument being North 86 deg. 42' West 290 feet from the intersection of the westerly margin of Vanoke Drive and the South boundary of Hedgewood Hills Subdivision, Section 1, as of record in Book 2900, page 135, Register's Office for said County; thence with the South boundary of the land conveyed to Davidson and Vandercook by Hannah, North 88 deg. 33' West 685 feet, more or less, to an iron pin at a white oak tree and end of a stone wall; thence North 1 deg. 24' East 365 feet, more or less, to an iron pin in the westerly line of the Davidson and Vandercook tract; thence leaving said westerly line, South 89 deg. 6' East 700 feet, more or less, to an iron pin at the common back corner between lots 14 and 15 in Hedgewood Hills, Section 1; thence with the rear line of Lots 14 and 13 in said Subdivision, South 4 deg. 46' West 369.20 feet to the beginning, containing 5.8 acres, more or less.

Being the same property conveyed to Barton McSwain, by deed from Adalbent G. Dierks and wife, Hanniett J. Dierks, of record in Book 4646, page 632, Register's Office of Davidson County, Tennessee.

The said Barton McSwain having since died testate, and title vested in John Grover McSwain, Anne Barton McSwain and Robert L. Poe as Co-Trustees of the Marital Trust under the Will of Dr. Barton McSwain, deceased, and John Grover McSwain, Anne Barton McSwain and Robert L. Poe as Co-Trustees of the McSwain Family Trust under the Will of Dr. Barton McSwain, deceased, said Will being of record in Book 136, page 18, Probate Court of Davidson County, Tennessee, and also of record in Book 5798, page 711 Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

(1) Taxes for 1986, a lien, but not yet due and payable.

(2) Restrictive covenants contained in instrument of record in Book 3180, page 51, Register's Office for Davidson County, Tennessee, are made applicable to Lot 26 by instrument of record in Book 4067, page 328, Register's Office for Davidson County, Tennessee, (Tract I)

(3) The Plan of record in Book 3700, page 44, said Register's Office shows an owner's certificate, a 250 foot minimum building setback line from Foxboro Drive and a 10-foot easement for public utility purposes along the rear line of said lot; and a 2.5 x 30-foot utility anchor easement located on the northeasterly corner of said lot. (Tract I)

(4) Ingress and egress to and from captioned premises is over and upon the southerly 25 feet of Lot No. 13 on the Plan of Hedgewood Hills, Section One of record in Book 2900, page 135, Register's Office for Davidson County, Tennessee, designated as an access and utilities easement. Said easement is, therefore, subject to the use thereof for public utility purposes and maintenance thereof and also subject to the rights of others. (Tract II)

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title, and interest thereto belonging, to the said GRANTEES, their heirs and assigns forever. GRANTORS covenant that they 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 except as herein stated and except for real estate taxes for the current year which are hereby prorated and assumed by GRANTEES.

GRANTORS further covenant and bind themselves, in their fiduciary capacity only, and representatives, to warrant and forever defend the title to said real estate to said GRANTEES, their heirs and assigns, against the lawful claims of all persons claiming by, through or under them.

Each of the Grantors warrants, covenants, and conveys in their fiduciary capacity only, not individually, and each for himself or herself and not one for the others.

WITNESS my hand this 4th day of August, 1986.

CO-TRUSTEES UNDER THE WILL OF
DR. BARTON McSWAIN, DECEASED

John Grover McSwain
JOHN GROVER McSWAIN, CO-TRUSTEE

Anne Barton McSwain
ANNE BARTON McSWAIN, CO-TRUSTEE

Robert L. Poe
ROBERT L. POE, CO-TRUSTEE

STATE OF TENNESSEE)
COUNTY OF HENRY)

Personally appeared before me, LISA J. NORWOOD a Notary Public within and for the State and County aforesaid, JOHN GROVER McSWAIN, CO-TRUSTEE UNDER THE WILL OF DR. BARTON McSWAIN, the within named bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at ~~Nashville~~ Paris, Tennessee, this 16th day of July, 1986.

LISA J. NORWOOD NOTARY PUBLIC HENRY COUNTY, TN

Lisa J. Norwood
Notary Public

My Commission Expires:

2-26-90

STATE OF ARIZONA)
COUNTY OF MARICOPA)

Personally appeared before me, Mary Lou Hicks a Notary Public within and for the State and County aforesaid, ANNE BARTON McSWAIN, CO-TRUSTEE UNDER THE WILL OF DR. BARTON McSWAIN, the within named bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Phoenix, Arizona, this 11th day of July, 1986.

NOTARY PUBLIC MARICOPA COUNTY, ARIZONA

Mary Lou Hicks
Notary Public

My Commission Expires:

My Commission Expires June 3, 1987

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, [illegible] a Notary Public within and for the State and County aforesaid, ROBERT L. POE, CO-TRUSTEE UNDER THE WILL OF DR. BARTON McSWAIN, the within named bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 1st day of August, 1986.

NOTARY PUBLIC AT LARGE

[illegible]
Notary Public

My Commission Expires:

10/15/86

OFFICIAL RECEIPT
FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 6939 PAGE 474

CO - CONVEYANCE
MO - MORTGAGE
WD - WARRANTY DEED
TD - TRUST DEED
CC - CERTIFIED COPY
REL - RELEASE
UCC - UNIFORM COMMERCIAL CODE
MISC - MISCELLANEOUS
CO TX - STATE TAX CONVEY
MO TX - STATE TAX MORT
PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

28180

IDENTIFICATION REFERENCE

AUG 5 8 59 AM '86

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 279307