#5346

File Box #38

# WARRANTY DEED

*THIS INSTRUMENT PREPARED BY*

George E. Mudter, Jr., Atty.
229 Ward Circle, Suite C-11
Brentwood, Tennessee 37027

BOOK 7057 PAGE 497

Mortgagee:

| ADDRESS NEW OWNER(S) AS FOLLOWS | SEND TAX BILLS TO: | MAP PARCEL NUMBERS |
|---|---|---|
| ERWIN A. HORTON, JR. (NAME) | SEARS MORTGAGE CORPORATION (NAME) | Map 162-5 |
| 329 Eulala Circle (STREET ADDRESS OR ROUTE NUMBER) | 300 Knightsbridge Parkway (STREET ADDRESS) | Parcel 261 |
| Nashville, Tennessee 37211 (CITY) (STATE) (P. O. ZIP) | Lincolnshire, Illinois 60069 (CITY) (STATE) (ZIP) | FB# 5DU-40776 |

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, BROWN MORGAN HARRUB and FAIRY D. HARRUB wife,

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO ERWIN A. HORTON, JR. and PEGGI L. HORTON wife,

HEREINAFTER CALLED THE GRANTEES, THEIR SUCCESSORS, HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: TO-WIT:

Land in Davidson County, Tennessee, being Lot No. 138 on the Plan of Section 3, Hickory Valley Subdivision, as of record in Plat Book 4460, page 86, Register's Office for said County, to which plan reference is made for a more complete description.

Being the same property conveyed to Brown Morgan Harrub and wife, Fairy D. Harrub by deed from Randall Phillips Builders, Inc. of record in Book 4664, page 326, said Register's Office.

This conveyance is made subject to (1) Restrictions of record in Book 4604, page 526, amended in Book 4630, page 548, and Book 5967, page 773; and (2) All matters appearing on the Plan of record in Plat Book 4460, page 86, said Register's Office.

6 9 0 0 3

IDENTIFICATION

Dec 3 10 25 AM '86

REGISTER'S OFFICE DAVIDSON COUNTY, TN

This is improved (XX) unimproved ( ) property, known as 329 Eulala Circle, Nashville, Tennessee 37211

TO HAVE AND TO HOLD the said tract or parcel of land, with the apurtenances, estate, title and interest thereto belonging to the said GRANTEES, their successors, heirs and assigns, forever, and we do covenant with the said GRANTEES 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, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs, successors, assigns and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their successors, heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

In witness whereof, the GRANTORS have hereunto set their hands (if a corporation, has caused its name to be signed hereto by its duly authorized officer) on this 28th day of November, 1986

Brown Morgan Harrub by Fairy D. Harrub  Fairy D. Harrub

BROWN MORGAN HARRUB by his atty. in fact  FAIRY D. HARRUB

Fairy D. Harrub by power of atty. being recorded simutaneously herewith.

STATE OF TENNESSEE
COUNTY OF Williamson

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Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named FAIRY D. HARRUB

the bargainor ~~_____~~ she, 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 Brentwood, Tennessee, this 28th day of November, 19 86.

My commission expires 4-19-87 Notary Public

STATE OF TENNESSEE
COUNTY OF _____

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

Witness my hand and official seal, at _____, this _____ day of _____, 19____.

_____ Notary Public

Commission expires _____

STATE OF TENNESSEE:
COUNTY OF WILLIAMSON:

On this 28th day of November, 1986, before me personally appeared Fairy D. Harrub, to me known, or proved to me on the basis of satisfactory evidence, to be the person who executed the foregoing instrument in behalf of Brown Morgan Harrub, and acknowledged that she executed same as the free act and deed of the said Brown Morgan Harrub.

Witness my hand and seal, at office in Brentwood, Tennessee, this 28th day of November, 1986.

Notary Public

My commission expires: 4-19-87

STATE OF TENNESSEE
COUNTY OF Williamson

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 81,100.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 28th DAY OF November, 19 86.

MY COMMISSION EXPIRES: 4-19-87 (AFFIX SEAL)

Notary Public

WARRANTY DEED

FROM BROWN MORGAN HARRUB and wife, FAIRY D. HARRUB

TO EDWIN A. HORTON, JR. and wife, PEGGI L. HORTON

Second

PLEASE RETURN TO:
First Title & Escrow Company, Inc.
P.O. Box 926
Suite 11C The Paddock
229 Ward Circle
BRENTWOOD, TENNESSEE 37027-0926

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

RECEIVED OF _____

FOR _____

BOOK 7057 PAGE 499

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

69003

IDENTIFICATION

Dec 3 10 25 AM '86

No. 18350