This instrument prepared by: JOHN R. REYNOLDS (#2522)
Attorney at Law
217 Second Avenue, North
P. O. Box 190481
Nashville TN 37219-0481
Tel: (615) 256-2694

**WARRANTY DEED**

Address New Owner(s) as follows: THE JANIAK FAMILY TRUST C/O TERANCE W. JANIAK and MARGIEANN L. JANIAK, Co-Trustees, 123 Harpeth Valley Road, Nashville TN 37221

Name and Address of the person or entity responsible for payment of real property taxes: Bancplus, P. O. Box 47524, San Antonio TX 78265-7524

Map and Parcel No. Map No. 91-10 - Parcel No. 436
Field Book No. 08DA-20137

For and in consideration of the sum of SIXTY THREE THOUSAND ($63,000.00) DOLLARS, cash in hand paid by the hereinafter named Grantee, the receipt of which is hereby acknowledged, we, LARRY L. SCHMITTOU and wife, SHIRLEY SCHMITTOU, hereinafter referred to as Grantors, have bargained and sold, and by these presents do hereby transfer and convey unto TERANCE W. JANIAK and MARGIEANN L. JANIAK, Co-Trustees for THE JANIAK FAMILY TRUST, their heirs, representatives, successors and assigns, hereinafter referred to as Grantees, a certain tract or parcel of land in Davidson County, State of Tennessee, being more particulary described on **EXHIBIT A** attached hereto and made a part hereof.

This is improved property, known as 5813 Robertson Avenue, Nashville TN 37209.

TO HAVE AND TO HOLD said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantees, TERANCE W. JANIAK and MARGIEANN L. JANIAK, Co-Trustees for THE JANIAK FAMILY TRUST, their heirs, representatives, successors and assigns, forever; and we, LARRY L. SCHMITTOU and wife, SHIRLEY SCHMITTOU, 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, except as shown on **EXHIBIT B** attached hereto and made a part hereof. We do further covenant and bind ourselves/our heirs and representatives, to warrant and forever defend the title to said land to the said Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever.

The said SHIRLEY SCHMITTOU, wife of LARRY L. SCHMITTOU, joins in this instrument, conveying all right, title and interest she has in and to said real property, including her right to take said real property as part of any elective share in the estate of her husband, LARRY L. SCHMITTOU.

Wherever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**WITNESS** our hands this 30th day of April 1993.

LARRY L. SCHMITTOU

SHIRLEY SCHMITTOU

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared **LARRY L. SCHMITTOU** and wife, **SHIRLEY SCHMITTOU**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of April 1993.

Notary Public

My commission expires 07 July 1996

STATE OF TENNESSSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer, is $63,000.00.

Affiant

Subscribed and sworn to before me this 30th day of April 1993.

Notary Public

My commission expires 07 July 1996

NOTE TO REGISTER:

Upon recording, please return the recorded instrument to:

JOHN R. REYNOLDS
Attorney at Law

**EXHIBIT A**

Land in Davidson County, Tennessee, being Lot No. 2 on the McGowan Subdivision, as shown of record in Book 5190, page 332, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate description.

Being the same property conveyed to Larry L. Schmittou by Deed from Charles Anderson and Jim Gunter, as shown of record in Book 7067, page 532, Register's Office for Davidson County, Tennessee.

This is improved property known as 5813 Robertson Avenue, Nashville TN 37209.

**EXHIBIT B**

1. 1993 Metro taxes, Map-Par. No. 91/10-436, Field Book No. 8DA-20137, listed to Larry L. Schmittou, a lien, but not yet due and payable.

2. If improvements are completed after 1 January of any year, the law requires supplemental assessment for the year in which improvements are completed, as defined by Statute. The Company assumes no liability for taxes assessed by correction pursuant to the provisions of Tennessee Code Annotated, Sections 67-5-603, et seq.

3. Deed of Trust executed by Jo Ann Bellar and husband, James R. Bellar, to Larry E. Hamilton and D. Gene Merrill, Trustees, dated 05 December 1984, as shown of record in Book 6445, page 177, Register's Office for Davidson County, Tennessee, to secure to Dominion Bancshares Mortgage Corporation, the principal sum of $53,450.00, and any other sums which may be and become payable under the terms thereof, including but not limited to principal, interest and service fee. (See instrument for complete terms and conditions, as well as possible rights and options of the mortgagee, including rights respecting assumption of the debt secured thereby.)

4. Second Priority Deed of Trust, Assignment of Rents and Security Agreement executed by Larry L. Schmittou and wife, Shirley A. Schmittou, to John R. Reynolds, Trustee, dated 01 December 1986, as shown of record in Book 7067, page 536, Register's Office for Davidson County, Tennessee, to secure to Charles Anderson and Jim Gunter, the principal sum of $6,643.33, and any other sums which may be and become payable under the terms thereof, including but not limited to principal, interest and service fee. (See instrument for complete terms and conditions, as well as possible rights and options of the mortgagee, including rights respecting assumption of the debt secured thereby.)

5. The Plan of record in Book 5190, page 332, said Register's Office, shows an Owner's Certificate, a 20-foot minimum building setback line from Robertson Road and a 10-foot easement for public utility and drainage purposes along the rear line(s) of said lot and a R.O.W. dedication on the northwest corner of said lot at the intersection of Robertson Road and Lovell Street. Reference is hereto made for a more accurate and complete description.

1557
IDENTIFICATION REFERENCE
MAY 3 3 48 PM '93
DAVIDSON COUNTY, TN
3644 05/03 0101 03CHECK 250.10

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

RECEIVED OF _____

FOR _____

BOOK 8935 PAGE 274

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

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | | | | CAMT 53000.00 |
| | | | | CON TX 233.10 |
| | | | | PRFEE 1.00 |
| | | | | TDEED 16.00 |
| | | | | TOTAL 250.10 |
| | | | | CHECK 250.10 |

05/03/93 01 15:46 0001 8644

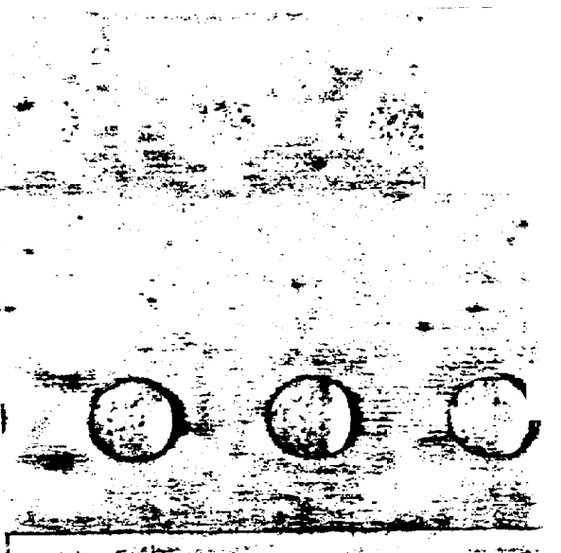
**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

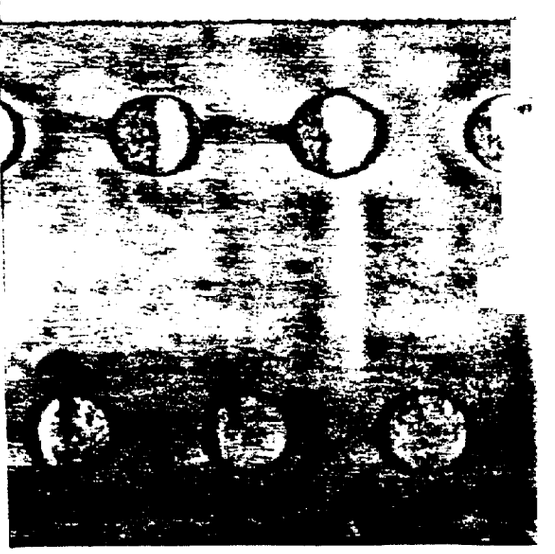
1557 7-

IDENTIFICATION REFERENCE

MAY 3 3 48 PM '93

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN





**No.** 646785