MAP - 52-11 PARCEL - 26

21-8

RE-RECORD BOOK 9408 PAGE 861

This Instrument Prepared by:
Laurence M. Papel
MANIER, HEROD, HOLLABAUGH & SMITH
A Professional Corporation
First Union Tower, Suite 2200
150 Fourth Avenue, North
Nashville, TN 37219-2494
(615) 244-0030

NEW OWNER: TYRUS R. and EUNICE W. GAINER
1025 Berwick Trail
Madison, TN 37115

TAX BILLS TO: SAME

MAP/Parcel No:
52-11 / 26

BOOK 9407 PAGE 739

GENERAL WARRANTY DEED AND ASSUMPTION AGREEMENT

RE-RECORD TO CORRECT NUMBER.

This Deed, made and entered into this the 24 day of June, 1994, by and between **Dale Martin and wife, Melba Martin**, party of the first part (hereinafter "Grantors"), and **Tyrus R. Gainer and wife, Eunice W. Gainer**, party of the second part (hereinafter "Grantees"),

W I T N E S S E T H

FOR AND IN CONSIDERATION of the sum of One Hundred Thirteen Thousand and 00/100 Dollars ($113,000.00), consisting of $21,122.81 cash in hand paid and the assumption of indebtness of $91,877.19, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Grantors herein have bargained and sold, and do hereby bargain, sell, transfer, convey, and confirm unto Grantees herein, their successors and assigns, all of right, title and interest to the following described real estate in Davidson County, Tennessee, being more particularly described as follows, to wit:

Being Lot No. 43 on the Plan of Madison Heights, Section II, Part II, as of record in Book 2133, Page 83, Register's Office for Davidson County, Tennessee, and described as follows:

BEGINNING in the northerly margin of Berwick Trail at the common corner of Lots 42 and 43; thence westwardly along said Trail 150 feet to a concrete monument at the beginning of a curve; thence around said curve, with a radius of 25 feet, northwardly 39.27 feet to a monument in the easterly margin of Rivercrest Drive; thence with said Drive, northwardly 205 feet to a monument; thence south 58 degrees 54 minutes East 175 feet to the corner of Lots 42 and 43; thence along the line between said two lots, southwardly 230 feet to the beginning.

Being the same property conveyed to Dale Martin and wife, Melba Martin, by Installment Deed of record in Book 7077, page 733, Register's Office for Davidson County, Tennessee.

RE-RECORD

TO HAVE AND TO HOLD the above-described real estate, with all improvements and appurtenances, thereunto belonging to said Grantees, their successors and assigns, forever. Grantors do covenant with said Grantees that Grantors are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, except for:

1. Vender's lien in favor of David K. Wachtel, Jr., Eunice W. Gainer, Carol W. Williams, and Rebecca W. Dorris, (the "Lenders"), created by that Installment Deed (the "Installment Deed") by and between Lenders and Grantors herein dated December 22, 1986, of record in Book 7077, page 733, Register's Office for Davidson County, Tennessee.

2. The 1994 taxes, a lien not yet due and payable.

Grantors do further bind themselves, their assigns, successors and representatives, to a covenant of GENERAL WARRANTY, hereby warranting to forever defend the title to the said land unto said Grantees, their successors and assigns, against the lawful claims of all persons or entities.

Grantees assume all rights and duties of Grantors to Lenders hereunder as created by the Installment Deed and other documentation evidencing such indebtness, including all payments required thereby and payment of the indebtness in whole, and will comply with all terms and conditions of the Installment Deed and related documentation.

IN WITNESS WHEREOF, the undersigned, being the Grantors herein, have executed this instrument on the day and date first written above.

Grantors

Dale Martin

Dale Martin

Melba Martin

Melba Martin

Grantees

Tyrus R. Gainer

Tyrus R. Gainer

Eunice W. Gainer

Eunice W. Gainer

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

RE-RECORD BOOK 9408 PAGE 866

I, the undersigned, a notary public within and for the above-named State and County, do hereby certify that the foregoing deed was this day and in my State and County produced to me and executed and acknowledged by Dale Marten, and who, upon oath, acknowledged himself/herself to be the within named bargainor, and (s)he executed the foregoing Instrument for the purposes therein contained, by signing his/her name, consenting that the same may be certified to the proper office for record.

My commission expires the 25th day of March, 1995.

Given under my hand and seal of office this 7th day of June, 1994.

Dolly E. Skipper
Notary Public

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

I, the undersigned, a notary public within and for the above-named State and County, do hereby certify that the foregoing deed was this day and in my State and County produced to me and executed and acknowledged by Melba Marten, and who, upon oath, acknowledged himself/herself to be the within named bargainor, and (s)he executed the foregoing Instrument for the purposes therein contained, by signing his/her name, consenting that the same may be certified to the proper office for record.

My commission expires the 25th day of March, 1995.

Given under my hand and seal of office this 7th day of June, 1994.

Dolly E. Skipper
Notary Public

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

I, the undersigned, a notary public within and for the above-named State and County, do hereby certify that the foregoing deed was this day and in my State and County produced to me and executed and acknowledged by Tyrus R. Garner, and who, upon oath, acknowledged himself/herself to be the within named bargainor, and (s)he executed the foregoing Instrument for the purposes therein contained, by signing his/her name, consenting that the same may be certified to the proper office for record.

My commission expires the 25th day of March, 1995.

Given under my hand and seal of office this 7th day of June, 1994.

Dolly E. Skipper
Notary Public

BOOK 9407 PAGE 742

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

RE-RECORD BOOK 9408 PAGE 867

I, the undersigned, a notary public within and for the above-named State and County, do hereby certify that the foregoing deed was this day and in my State and County produced to me and executed and acknowledged by Eunice W. Gainer, and who, upon oath, acknowledged himself/herself to be the within named bargainor, and (s)he executed the foregoing Instrument for the purposes therein contained, by signing his/her name, consenting that the same may be certified to the proper office for record.

My commission expires the 25th day of March, 1995.

Given under my hand and seal of office this 7th day of June, 1994.

Dolly E. Skipper
Notary Public

CONSIDERATION CERTIFICATE

We, the undersigned, hereby certify that the consideration reflected in this Deed is the full and actual consideration paid for the subject real property.

GRANTORS:

Dale Martin
Dale Martin

Melba Martin
Melba Martin

GRANTEES:

Tyrus R. Gainer
Tyrus R. Gainer

Eunice W. Gainer
Eunice W. Gainer

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

The foregoing Consideration Certificate was acknowledged and sworn to before me this the 7th day of June 1994, by Grantor, Dale Martin.

My commission expires March 25, 1995.

Dolly E. Skipper
Notary Public

BOOK 9407 PAGE 743

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

RE-RECORD BOOK 9408 PAGE 868

The foregoing Consideration Certificate was acknowledged and sworn to before me this the 7th day of June, 1994, by Grantor, Melba Martin.

My commission expires March 25, 1995.

Dolly E. Skipper
Notary Public

DOLLY E. SKIPPER NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

The foregoing Consideration Certificate was acknowledged and sworn to before me this the 7th day of June, 1994, by Grantee, Tyrus R. Gainer.

My commission expires March 25, 1995.

Dolly E. Skipper
Notary Public

DOLLY E. SKIPPER NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

STATE OF Tennessee)
) SCT.
COUNTY OF Davidson)

The foregoing Consideration Certificate was acknowledged and sworn to before me this the 7th day of June, 1994, by Grantee, Tyrus R. Gainer.

My commission expires March 25, 1995.

Dolly E. Skipper
Notary Public

DOLLY E. SKIPPER NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

71212
IDENTIF. & REFERENCE

94 JUL 14 PM 3:35
FILED
DAVIDSON COUNTY, TN.
REGISTER

c:\wp51\temp\Mart-gan.GWD

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $115,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 14th DAY OF July 1994.

Deputy Register

71611
IDENTIF. & REFERENCE

RE-RECORD

94 JUL 15 PM 3:53
FILED
DAVIDSON COUNTY, TN.
REGISTER

7100 07/14 0101 03CHECK 439.10

7527 07/15 0101 03CHECK 20.00