BK 9971 PG 853

This Instrument Prepared By:

MARSHALL L. HIX, ESQUIRE
1500 Nashville City Center
511 Union Street
Nashville, Tennessee 37219

WARRANTY DEED

Address New Owners:	Send Tax Bills To:	Map/Parcel Nos.:
Duane Allen Ewers and Judith Elaine Smith 125 Brixworth Lane Apartment 2 Nashville, TN 37205	**SAME**	**47-71**

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, and other good and valuable consideration, receipt of which is hereby acknowledged, I, **H. BURKE MAHLING** ("Grantor"), has bargained and sold and does hereby transfer and convey unto **DUANE ALLLEN EWERS AND WIFE, JUDITH ELAINE SMITH** ("Grantees"), their heirs and assigns, a certain tract of land located in Davidson County, Tennessee and described as follows (the "Property"):

TRACT ONE:

BEGINNING AT AN IRON ROD IN THE NORTHERN MARGIN OF SULFER CREEK ROAD, SAID POINT BEING A COMMON CORNER WITH TRACT TWO; THENCE, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 463.97 FEET AND AN ARC LENGTH OF 89.75 FEET TO AN IRON ROD, SAID POINT BEING THE NORTHEASTERLY CORNER OF KENNETH SCHUBERT, DB.7639, PG.537, R.O.D.C., TN.; THENCE, LEAVING SAID ROAD MARGIN WITH SAID LINE, NORTH 88 DEGREES 45 MINUTES 00 SECONDS WEST 833.68 FEET TO AN IRON ROD, SAID POINT BEING THE SOUTHWEST CORNER OF THIS TRACT AND BEING ON THE LINE OF L.C. TREVOR JR., DB.2746, PG.549, R.O.D.C., TN.; THENCE, WITH SAID LINE, NORTH 07 DEGREES 25 MINUTES 34 SECONDS EAST 574.50 FEET TO A 10" HICKORY WITH A FENCE LINE; THENCE, CONTINUING WITH BUFORD E. WINFREY, DB.3221, PG.209, R.O.D.C., TN., AND MEANDERING ALONG A FENCE LINE FOR THE NEXT SIX CALLS, NORTH 85 DEGREES 08 MINUTES 00 SECONDS EAST 268.92 FEET TO A POINT; THENCE, NORTH 54 DEGREES 02 MINUTES 11 SECONDS EAST 351.12 FEET TO A POINT; THENCE, NORTH 41 DEGREES 56 MINUTES 35 SECONDS EAST 407.41 FEET TO A POINT; THENCE, NORTH 73 DEGREES 51 MINUTES 36 SECONDS EAST 225.70 FEET TO A POINT; THENCE, NORTH 21 DEGREES 18 MINUTES 32 SECONDS EAST 325.06 FEET TO A POINT; THENCE, NORTH 45 DEGREES 12 MINUTES 50 SECONDS EAST 129.76 FEET TO A 15" HICKORY WITH A FENCE LINE, SAID POINT BEING IN THE LINE OF F.H. VONDOHLEN, DB.3220, PG.217, R.O.D.C., TN., AND ALSO BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, WITH SAID LINE, SOUTH 84 DEGREES 30 MINUTES 56 SECONDS EAST 929.22 FEET TO A FENCE CORNER, SAID POINT BEING THE NORTHWESTERLY CORNER OF THE MATHEW WALKER PROPERTY, DB.2029, PG.589, R.O.D.C., TN., AND ALSO BEING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, WITH SAID LINE, SOUTH 36 DEGREES 30 MINUTES 00 SECONDS WEST 1192.95 FEET TO AN IRON ROD, SAID POINT BEING THE NORTHEASTERLY CORNER OF TRACT TWO; THENCE, WITH A COMMON LINE WITH TRACT TWO, SOUTH 88

DEGREES 14 MINUTES 18 SECONDS WEST 634.37 FEET TO AN IRON ROD; THENCE, SOUTH 01 DEGREES 45 MINUTES 42 SECONDS EAST 498.49 FEET TO THE POINT OF BEGINNING, CONTAINING 36.07 ACRES, MORE OR LESS, DESCRIBED BY A SURVEY BY R.L. MONTOYA - LAND SURVEYING, DATED 8/4/95.

BEING A PORTION OF THE PROPERTY CONVEYED TO HARVEY BURKE MAHLING, EXECUTOR OF THE ESTATE OF SADIE CATHERINE VESTER OZMENT, (CATHERINE S. OZMENT), DECEASED, AS OF RECORD IN DEED BOOK 9519, PAGE 609, R.O.D.C., TN.

TRACT TWO:

BEGINNING AT AN IRON ROD IN THE NORTHERLY MARGIN OF SULFER CREEK ROAD, SAID POINT BEING IN THE LINE OF MATHEW WALKER, DB.2029, PG.589, R.O.D.C., TN., AND ALSO BEING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, WITH SAID ROAD MARGIN, SOUTH 88 DEGREES 14 MINUTES 18 SECONDS WEST 241.23 FEET TO AN IRON ROD, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, WITH A COMMON LINE WITH TRACT ONE, NORTH 01 DEGREES 45 MINUTES 42 SECONDS WEST 498.49 FEET TO AN IRON ROD; THENCE, NORTH 88 DEGREES 14 MINUTES 18 SECONDS EAST 634.37 FEET TO AN IRON ROD IN THE LINE OF THE AFORESAID MATHEW WALKER; THENCE, WITH SAID LINE, SOUTH 36 DEGREE 30 MINUTES 00 SECONDS WEST 634.86 FEET TO THE POINT OF BEGINNING, CONTAINING 5.01 ACRES, MORE OR LESS, DESCRIBED BY A SURVEY BY R.L. MONTOYA - LAND SURVEYING, DATED 8/4/95.

BEING A PORTION OF THE PROPERTY CONVEYED TO HARVEY BURKE MAHLING, EXECUTOR OF THE ESTATE OF SADIE CATHERINE VESTER OZMENT, (CATHERINE S. OZMENT), DECEASED, AS OF RECORD IN DEED BOOK 9519, PAGE 609, R.O.D.C., TN.

This is unimproved property known as Sulphur Creek Road, Nashville, Davidson County, Tennessee.

TO HAVE AND TO HOLD the Property, together with all the appurtenances and hereditaments thereunto belonging or in anywise appertaining, to the said Grantees, their heirs and assigns, forever.

AND Grantor does hereby covenant with Grantees that he is lawfully seized and possessed of the Property in fee simple; that they have good right to sell and convey the same; and that the same is unencumbered, except for 1996 real estate taxes which Grantees agree to assume.

AND Grantor does further covenant and bind himself, his heirs and assigns, to warrant and forever defend the title to the Property against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on this 6th day of March, 1996.

H. Burke Mahling

H. BURKE MAHLING

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $82,160.

Duane Allen Evers
AFFIANT

Subscribed and sworn to before me, this 2nd day of March, 1996.

NOTARY PUBLIC

My Commission Expires:

1/29/2000

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires: 1/29/2000

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public of this county, H. Burke Mahling, 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, at office, this 6th day of March, 1996.

Marshall X. Hix
NOTARY PUBLIC

My Commission Expires:

January 25, 1997

MARSHALL X. HIX NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

0157745
IDENTIF. ↑ REFERENCE

96 MAR -7 AM 10:49
FELIX A. [illegible] REGISTER
DAVIDSON COUNTY, TN.

3655 03/07 0101 03CHECK 317.00

H:\HIX\MAHLING\WARRANTY.DED (March 5, 1996)

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

RECEIVED OF _____

FOR _____

BOOK 9971 PG 856

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 82160.00
CON TX 304.00
PRFEE 1.00
WDEED 12.00
TOTAL 317.00
CHECK 317.00

[illegible] 10135 0001 5855

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0157745
IDENTIF. # REFERENCE

96 MAR -7 AM 10:49
FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

No. 1013963