BOOK 10511 PG 44

PREPARED BY (AND RETURN TO):

**WILKINS & IVEY**
Attorneys At Law
2405 Crestmoor Road; P.O. Box 150157
Nashville, Tennessee 37215-0157
Ph. (615) 298-3312 - Fax. 292-8746

W & I Ref: (pmt) Title No: 38988
Dav. Co. File: Box 8

97 JUN 30 PM 3:26
REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE

03211386

| ADDRESS NEW OWNER: | RESPONSIBLE FOR TAX PAYMENT: |
|---|---|
| Ronald E. Wenzler, II<br>5904 Robert E. Lee Court<br>Nashville, TN 37215 | First American National Bank<br>P. O. Box 290396<br>Nashville, TN 37229-0396 |

**TAX MAP-PARCEL NUMBERS: Map 145-13, Parcel 10 (FH 20625)**

# *WARRANTY DEED*

9107 06/30 0101 03CHECK 1067.50

**FOR AND IN CONSIDERATION** of the sum of **$ 285000.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Mary H. Malone, unmarried,** hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Ronald E. Wenzler, II and spouse, Jan E. Simmons,** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

LAND in Davidson County, Tennessee, being Lot No. 114 on the Plan of Tyne Valley Estates, Section V, of record in Plat Book 3600, Page 54, Register's Office for said County, described according to said plat and by survey of Gregory E. Daniels, Tennessee Registered Land Surveyor No. 1489 (Job #97-049) dated June 17, 1997, as follows:

SAID Lot No. 114 fronts 234.98 feet (234.79 per survey) on the broken southerly margin of Robert E. Lee Court and extends back 220.3 feet (219.63 per survey) on the westerly line and 243.9 feet (242.91 per survey) on the broken easterly line to a dead line in the rear, measuring 242.7 feet (242.64 per survey) thereon.

BEING the same property conveyed to Hugh L. Malone and wife, Mary H. Malone by deed from Larry B. Shelton and wife, Jane P. Shelton of record in Book 4454, Page 286, Register's Office for said County. The said Hugh L. Malone has since died.

**Description Reference:** Described according to (or by reference to) the recorded subdivision Plan.

This conveyance is subject to any and all matters shown on the herein referenced Plan of record in said Register's Office.

Mary H. Malone and Mary Elizabeth H. Malone are one in the same person.

This instrument is executed on behalf of Mary H. Malone by Hugh L. Malone, Jr. as Attorney in Fact pursuant to a Power of Attorney being recorded concurrently herewith. The affidavit of said Attorney in Fact is attached as "Exhibit A" to or on this instrument and incorporated herein by reference.

**This is improved property, known as:** 5904 Robert E. Lee Court, Nashville, TN 37215

**TO HAVE AND TO HOLD** the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

**GRANTOR COVENANTS** with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

**GRANTOR FURTHER COVENANTS** and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

**WITNESS THE EXECUTION HEREOF** this 25th day of June, 1997.

**Mary H. Malone, By: Hugh L. Malone, Jr., Atty-In-Fact**

**State of Tennessee**
**County of Davidson**

On this 25th day of June, 1997, before me the undersigned authority, personally appeared , to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____ Notary Public

PERCY WILKINS JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

**State of Tennessee**
**County of Davidson**

## AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 285000.00

Affiant

Sworn and subscribed before me on the 25th day of June, 1997.

My Commission Expires: _____ Notary Public

PERCY WILKINS JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Hugh L. Malone, Jr.**, with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of **Mary H. Malone**, as Attorney-in-Fact, as the free act and deed of the said Principal.

Witness my hand and official seal at Nashville, Tennessee, this the 25th day of June, 1997.

Notary Public

My Commission Expires:_____

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

---

**EXHIBIT "A"**
**To**
**WARRANTY DEED**

**FROM: Mary H. Malone**

**TO: Ronald E. Wenzler, II and spouse, Jan E. Simmons**

# A F F I D A V I T

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited was executed by the undersigned as attorney-in-fact for the principal thereon shown.

2. That the execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. That at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by the principal's death, disability, or incapacity.

Further the Affiant Saith not.

References to the singular include the plural, when applicable.

**Hugh L. Malone, Jr., Affiant**

Sworn to and subscribed before me this

25th day of June, 1997.

Notary Public

My Commission Expires:_____

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

# OFFICIAL RECEIPT

**FELIX Z. WILSON, II**

REGISTER OF DAVIDSON COUNTY

NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 10511 PG 47

| | | |
|---|---|---|
| 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 | 285000.00 |
| CON TX | 1054.50 |
| PRFEE | 1.00 |
| WDEED | 12.00 |
| TOTAL | 1067.50 |
| CHECK | 1067.50 |

RECEIPT IS NOT VALID UNLESS CHECK IS PAID BY BANK 06/30/97 01:15:26 0001 9107

0321386 IDENTIF. # REFERENCE

97 JUN 30 PM 3:26

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

**No.** 1168699