THIS INSTRUMENT PREPARED BY:

mwl

Homer R. Ayers, Attorney At Law
P. O. Box 904
303 Frances Street
Goodlettsville, Tennessee 37070-0904

# Warranty Deed

BOOK 10535 PG 802

| ADDRESS NEW OWNERS: | PERSON OR ENTITY RESPONSIBLE FOR PAYMENT OF REAL PROPERTY TAXES: | MAP-PARCEL NOS. |
|---|---|---|
| Harold Earl Swann<br>628 Cumberland Drive<br>Hendersonville, TN 37075 | Same as New Owner | Map 53-3<br>Parcel 18<br>Field Book 4D 40700 |

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, JAMES HAROLD PETTY, JOHN RAY PETTY, SARA SNOW BAKER and NELLIE MARIE COOPER, heirs at law and beneficiaries under the Last Will and Testament of Jesse D. Petty, deceased, hereinafter referred to as the "GRANTORS", have bargained and sold, and by these presents do transfer and convey unto HOWARD EARL SWANN, hereinafter referred to as the "GRANTEE", his 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. 107 of Section "C", on the Plan of E. I. duPont de Nemours and Company's Subdivision, as of record in Book 1424, page 66, Register's Office for said County.

Said Lot No. 107 fronts 56 feet on the easterly side of Berry Street and extends back 65.3 feet on the northerly line and 65.4 feet on the southerly line to a dead line, measuring 56 feet thereon.

BEING the same property conveyed to Jesse D. Petty and wife, Mary M. Petty, by deed from William L. May and wife, Roberta A. May, dated November 15, 1965 and filed for record in Book 3959, page 845, Register's Office for Davidson County, Tennessee. The said Mary E. Petty died on April 13, 1994, survived by her husband, Jesse D. Petty, who became owner of the said property in fee simple, as surviving tenant by the entirety. Jesse D. Petty died on December 29, 1996 leaving a Last Will and Testament dated January 25, 1982, giving and devising all of his property to his wife, Mary M. Petty, if she survived him; otherwise, to his four children, Nellie Marie Cooper, James Harold Petty, Sara Snow Baker and John Ray Petty, as tenants in common, each owning a one-fourth (¼) undivided interest. The said Last Will and Testament was filed for probate on January 7, 1997 in the Probate Court for Davidson County, Tennessee and James Harold Petty and John Ray Petty were appointed Co-Executors pursuant to the terms of the said Will.

The property description as hereinabove set forth is the same as that contained in the previous Deed of record.

This is improved property located at 1211 Berry Street, Old Hickory, TN 37138.

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, his heirs and assigns, forever.

And WE, the GRANTORS, do covenant with the said GRANTEE, that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and warrant that the same is unencumbered, except as follows:

1. Taxes for the year 1997, which are a lien but not yet due and payable, and which have been prorated between the parties and will be paid, in full, by the GRANTEE, when due.

2. Subject to any and all matters as they may appear on the Plan of record in Book 1424, page 66, Register's Office for Davidson County, Tennessee.

And WE, the GRANTORS, do further covenant and bind ourselves, our heirs and representatives to warrant and forever defend the title to the said land unto the said GRANTEE, his heirs and assigns, against the lawful claims of all persons whomsoever.

JAMES HAROLD PETTY executes this Warranty Deed as Attorney-in-Fact for NELLIE MARIE COOPER, under a Power of Attorney being recorded simultaneously herewith in the Register's Office for Davidson County, Tennessee.

WITNESS our hands on this the 18th day of July, 1997.

"GRANTORS"

James Harold Petty
JAMES HAROLD PETTY

John Ray Petty
JOHN RAY PETTY

Sara Snow Baker
SARA SNOW BAKER

Nellie Marie Cooper
NELLIE MARIE COOPER
BY: James Harold Petty, Attorney In Fact

"GRANTEES"

Howard Earl Swann
HOWARD EARL SWANN

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, JAMES HAROLD PETTY, JOHN RAY PETTY, SARA SNOW PETTY, and HOWARD EARL SWANN with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this the 18th day of July, 1997.

Patsy C. Davidson
NOTARY PUBLIC

PATSY C. DAVIDSON
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TN
MY COMMISSION EXPIRES:
DECEMBER 6, 1997

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

On this the 18th day of July, 1997, before me, personally appeared JAMES HAROLD PETTY, to me known to be the person who executed the foregoing instrument on behalf of NELLIE MARIE COOPER, and acknowledged that he executed the same as the free act and deed of the said NELLIE MARIE COOPER.

WITNESS my hand and official seal this the 18th day of July, 1997.

Patsy C. Davidson
NOTARY PUBLIC

PATSY C. DAVIDSON
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TN
MY COMMISSION EXPIRES:
DECEMBER 6, 1997

BOOK 10535 PG 804

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration or value, whichever is greater, for this transfer is $56,500.00.

Howell Earl Swann
Affiant

Sworn to and subscribed before me, this the 18th day of July, 1997.

Patsy C. Davidson
NOTARY PUBLIC

PATSY C. DAVIDSON
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TN
MY COMMISSION EXPIRES:
DECEMBER 6, 1997

0328141

IDENTIFICATION REFERENCE

97 JUL 21 AM 9:33

RECEIVED
DAVIDSON COUNTY, TN

6526 07/21 0101 02CHEK

22.00

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

BOOK 10535 PG 805

RECEIVED OF _____

FOR _____

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 |
|---|---|---|---|---|

CAPT 5,500.00
CON TX 209.05
PRFEE 1.00
WDEED 12.00
TOTAL 222.05
CHECK 222.05

07/21/97 01 10:35 0001 6536

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

0328141
IDENTIFICATION REFERENCE

97 JUL 21 AM 9:33

FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN

**No.** 1176235