Return to:

WILSON & WEISS TITLE ASSOCIATES, LLC
7100 EXECUTIVE CENTER DR.
SUITE 150
BRENTWOOD, TN 37027

B-0059

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
E-mail: wilkins.ivey@worldnet.att.net

W & I Ref: (sk) Title No: 39674
Dav. Co. File: Box 8

98 MAR -3 PM 2:31

0401219

IDENTIFICATION REFERENCE

BOOK 10819 PG 581

| ADDRESS NEW OWNER: | RESPONSIBLE FOR TAX PAYMENT: |
|---|---|
| Scott Jon Witterholt<br>741 Templeton Drive<br>Nashville, TN 37205 | PNC Mortgage Corp of America<br>75 North Fairway<br>Vernon Hills, IL 60061 |

**TAX MAP-PARCEL NUMBERS: 102-15-067**

# *WARRANTY DEED*

**FOR AND IN CONSIDERATION** of the sum of **$ 148,250.00,** 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 Katherine Ewing, Fran E. Pfahl,and Ernest Leroy Ewing, Jr., as devisees under the will of Mary Lu Ewing,** hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Scott Jon Witterholt,** 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. 249 on the Plan of Brook Meade, Section VII of record in Plat Book 2331, Page 5, Register's Office for said County, to which plan reference is hereby made for a more complete description.

~~SAID Lot No. 249 fronts 123 feet on the southwesterly margin of Templeton Drive and extends back 330.3 feet on the southeasterly line and 341.4 feet on the northwesterly line to a dead line in the rear, measuring 123 feet thereon.~~

BEING the same property conveyed to Roy Ewing and wife, Mary Lu Ewing by deed from Siegrist Brothers Dairy, a partnership composed of J. C. Siegrist, Oscar S. Siegrist, Carl S. Siegrist, William H. Siegrist, Minnie V. Siegrist and Mrs. Charles E. Dahlinger of record in Book 2336, Page 385, Register's Office for said County. By Deed of record in Book 3073, Page 632, said Register's Office, the said Roy Ewing conveyed his interest in subject property to Mary Lu Ewing. The said Mary Lu Ewing has since died. The Last Will and Testament of Mary Lu Ewing of record in Will Book 203, Page 221, Probate Court Clerks Office for Davidson County, Tennessee, devised subject property to Mary Katherine Ewing, Frances Weaver Ewing and Ernest Leroy Ewing, Jr.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

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

This conveyance is subject to a 20 foot easement for sanitary sewers and/or storm drainage across/along the northwesterly line of said lot and 10 foot temporary construction easement northeast of and adjacent thereto, all as granted to Metropolitan Government by instrument of record in Book 5289, Page 173, said Register's Office.

This instrument is executed on behalf of Fran E. Pfahl and Ernest Leroy Ewing, Jr. by Mary Katherine Ewing 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:** 741 Templeton Drive, Nashville, TN 37205

**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 27th day of February, 1998.

Mary Katherine Ewing
**Mary Katherine Ewing**

Fran E. Pfahl by Mary Katherine Ewing
**Fran E. Pfahl, By: Mary Katherine Ewing, Atty-In-Fact**

Ernest Leroy Ewing, Jr. by Mary Katherine Ewing
**Ernest Leroy Ewing, Jr., By: Mary Katherine Ewing, Atty-in-Fact**

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

On this 27th day of February, 1998, before me the undersigned authority, personally appeared Mary Katherine Ewing, 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: CHRISTY SUSIVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires 9/18/99

Notary Public

**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: $ 148250.00

KAREN L. TRUSTY NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TENN.

Affiant

Sworn and subscribed before me on the 27th day of February, 1998.

Notary Public

12/26/99

BOOK 10819 PG 583

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 **Mary Katherine Ewing**, 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 **Fran E. Pfahl and Ernest Leroy Ewing, Jr.**, as Attorney-in-Fact, as a free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this the 27th day of February, 1998.

Notary Public

My Commission Expires:

CHRISTY IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires 9/1[illegible]

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

**FROM: Mary Katherine Ewing, Fran E. Pfahl and Ernest Leroy Ewing, Jr.**

**TO: Scott John Witterholt**

0327 03/03 0101 07:04-EDT 5:1.53

## AFFIDAVIT

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(s) 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 a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Mary Katherine Ewing
**Mary Katherine Ewing, Affiant**

Sworn to and subscribed before me this

27th day of February, 1998.

Notary Public

My Commission Expires:

CHRISTY IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires 9/1[illegible]

**OFFICIAL RECEIPT**

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 10819 PG 584

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

DART
146250.00
CON TX 548.50
PRFEE 1.00
WDEED 12.00
TOTAL 561.50
CHECK 561.50

03/03/98 01 14130 0001 0317

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

0407219
IDENTIF. & REFERENCE
98 MAR -3 PM 2:31

**No.** 1260764