0430559

IDENTIF. & REFERENCE

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: (cmw) Title No: 39798
Dav. Co. File: Box 8

98 APR 28 PM 12:48

FELIX A. [illegible] REGISTER
DAVIDSON COUNTY, TN.

BOOK 10903 PG 548

| ADDRESS NEW OWNER: | RESPONSIBLE FOR TAX PAYMENT: |
|---|---|
| Matthew E. Buerger<br>2730 Linmar Avenue<br>Nashville, TN 37215 | FT Mortgage Companies<br>P.O. Box 146<br>Memphis, TN 38101 |

**TAX MAP-PARCEL NUMBERS: 104-14-D-012 07DA 92813**

# *WARRANTY DEED*

**FOR AND IN CONSIDERATION** of the sum of **$ 112500.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Charles A. Clarke and spouse, Joan C. Clarke,** hereinafter called the **Grantor,** has bargained and sold, and by these presents does hereby transfer and convey unto **Matthew E. Buerger, unmarried,** 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:**

A Condominium Apartment in Davidson County, Tennessee, being Unit No. 12 also known as No. 2730 of Linmar Place III, a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on Exhibit "C" to the Master Deed of record in Book 7887, page 558, said Register's Office, to which source reference is hereby made for more complete details of description, together with the said Apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

BEING the same property conveyed to Charles A. Clarke and spouse, Joan C. Clarke, by deed from Lorinda A. Cart Smith, a married person and husband, Steven A. Smith, of record in Book 9614, page 580, said Register's Office.

**Description Reference:** Described from information contained in recorded condominium documents.

This conveyance is subject to: Taxes for 1998, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 7887, Page 558, said Register's Office; The Declaration of Covenants, Conditions and Restrictions of record in Book 7887, page 558 as amended in Book 8103, page 984, said Register's Office, which sets forth assessments, liens and other matters, to which Declaration reference is hereby made for more particulars.

This instrument is executed on behalf of Joan C. Clarke by Charles A. Clarke 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:** 2730 Linmar Avenue, 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 27th day of April, 1998.

Charles A. Clarke

Joan C. Clarke, By: Charles A. Clarke, Atty-In-Fact

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

On this 27th day of April, 1998, before me the undersigned authority, personally appeared **Charles A. Clarke**, 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: _____ PERCY WILKINS JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-200

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: $ 112500.00

Matthew E. Brueger
Affiant

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

My Commission Expires: _____ PERCY WILKINS JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-200

Notary Public

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 **Charles A. Clarke**, 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 **Joan C. Clarke**, 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 April, 1998.

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

Notary Public

My Commission Expires:_____

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

**FROM: Charles A. Clarke and Joan C. Clarke**

**TO: Matthew E. Buerger**

# 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(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.

Charles A. Clarke

**Charles A. Clarke, Affiant**

Sworn to and subscribed before me this 27th day of April, 1998.

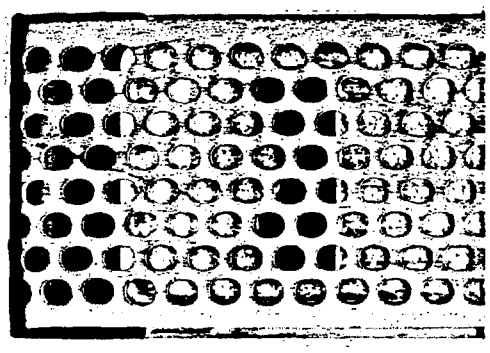
PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

Notary Public

My Commission Expires:_____

9515 04/28 0101 03CHECK 429.25

*Wldoc: PAS Exhib WD—9/91*



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

RECEIVED OF _____

FOR _____

BOOK 10903 PG 551

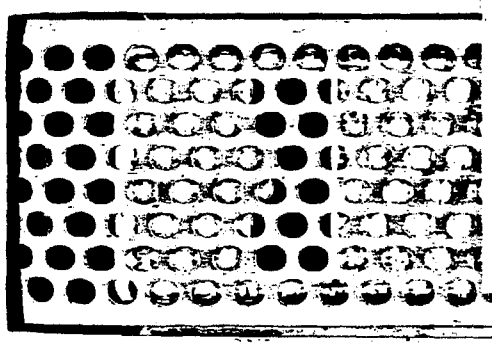
| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|

CAMT 112500.00
CON TX 416.25
PRFEE 1.00
WDEED 12.00
TOTAL 429.25
CHECK 429.25

04/28/98 01 12:50 0001 9515

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



0430559
IDENTIF. & REFERENCE
98 APR 28 P1 12:48
FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN.

**No.** 1285613