BOX 44

THIS INSTRUMENT PREPARED BY: **George V. Crawford, Jr.** **GULLETT, SANFORD, ROBINSON & MARTIN, PLLC** 230 Fourth Avenue, North P. O. Box 198888 Nashville, Tennessee 37219-8888 (615) 244-4994 Davidson County DEEDWARR Recvd: 04/10/01 14:19 2pgs Fees:11.00 Taxes:542.05 20010410-0035481	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater, for this transfer is $146,500.00. Gary C. Luton **Affiant** Subscribed and sworn to before me, this 9th day of April, 2001. Notary Public My Commission Expires: 10/25/2003

Address New Owner As Follows: Gary C. Luton 5215 Overton Road Nashville, TN 37220	Send Tax Bills To: America's Wholesale Lender 750 Old Hickory Blvd. #180 Brentwood, TN 37027	Map-Parcel Number: 146-15-171

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged **DANIEL J. KELLY AND WIFE, KRISTI A. KELLY,** hereinafter called the Grantors, have bargained and sold, and by these presents does transfer and convey unto **GARY C. LUTON, UNMARRIED,** hereinafter called the Grantee, his heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Land in Davidson County, Tennessee, being Lot No. 51 on the Plan of Haileywood Estates, Section III, of record in Book 2330, page 58, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Daniel J. Kelly, unmarried by deed from Estate of Evelyn Love Ayers, of record in Book 11408, page 357, Register's Office for Davidson County, Tennessee.

Kristi A. Kelly joins in the execution of said conveyance for the purpose of conveying any marital interest she may have in said land.

A new legal description was not prepared for this transaction. The legal description is the same as the previous instrument of record.

This conveyance is made subject to:

1. 2001 taxes, a lien but not yet due and payable, which have been prorated and assumed by Grantee. By acceptance of delivery of this instrument, Grantee assumes and agrees to pay such taxes as and when such become payable and to indemnify and hold harmless Grantors from liability and loss therefrom.

2. All matters as shown on the Plan of record in Book 2330, page 58, Register's Office for said County.

3. Restrictive covenants recorded in Book 2481, Page 390, Register's Office for said County.

This is improved property known as 5215 Overton Road, Nashville, TN 37220.

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 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 the same is unencumbered, unless otherwise herein set out; and further covenant and bind ourselves, our heirs and assigns, to warrant and forever defend the title to the said land to the said Grantee, his heirs and assigns, against the lawful claims of all person whomsoever.

WITNESS my hand this 9th day of April, 2001.

Daniel J. Kelly

Kristi A. Kelly

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **DANIEL J. KELLY AND KRISTI A. KELLY**, the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 9th day of April, 2001.

Notary Public

My Commission Expires: 10/25/03

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