File in Box No. 19 B

# WARRANTY DEED

STATE OF TENNESSEE #01-5-20-B
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 168,500.00

Linda J. McGahey
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 11th DAY OF May, 2001.

Notary Public

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

MY COMMISSION EXPIRES: May 28, 2003
(AFFIX SEAL)

**THIS INSTRUMENT WAS PREPARED BY**

PETER WEISS, ATTORNEY AT LAW, 761 Old Hickory Blvd, Suite 102, Brentwood, TN 37027

| ADDRESS NEW OWNER(S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP-PARCEL NUMBERS |
|---|---|---|
| LINDA J. MCGAHEY (NAME) | BANK OF AMERICA, N.A. (NAME) | MAP 142-16-0-G |
| 114 Hicks Road (ADDRESS) | 2059 Northlake Parkway (ADDRESS) | PARCEL 005CO |
| Nashville, TN 37221 (CITY) (STATE) (ZIP) | Tucker, GA 30084 (CITY) (STATE) (ZIP) | FB #09D-83017 |

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, BRET S. O'BRIEN AND WIFE, JULIE O'BRIEN

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO LINDA J. MCGAHEY, UNMARRIED

HEREINAFTER CALLED THE GRANTEES, THEIR 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 Unit No. 5 on the Final Plat of Devon Close Townhomes, created under Title 66, Section 27-101, et seq. as amended, Tennessee Code Annotated, and as established by a Master Deed, of record in Book 9747, Page 278, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said unit as set forth in said Master Deed. Reference is hereby made to the plat of Devon Close Townhomes, of record in Book 9700, Page 86, and amended in Book 9700, Page 147, said Register's Office, for a more complete identification of such unit.

BEING the same property conveyed to Bret S. O'Brien, unmarried and Barton K. O'Brien, a married person, by Deed from Southwinds Development, Inc., of record in Book 9981, Page 454, Register's Office for Davidson County, Tennessee; and further conveyed to Bret S. O'Brien and wife, Julie O'Brien by Quitclaim Deed from Barton K. O'Brien, married, of record in Instrument No. 200004180038765, said Register's Office.

THIS conveyance is subject to all the provisions of the Tennessee "Horizontal Property Act" as the same is set out in Section 66-27-101 et seq. of the Tennessee Code Annotated, and is subject to the provisions and requirements thereof; and is subject to the By-Laws for the administration thereof; also

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Davidson County DEEDWARR
Recvd: 05/16/01 14:58 2pgs
Fees:11.00 Taxes:623.45

20010516-0050855

unimproved ( )
This is improved ( X ) property, known as 114 Hicks Road, Nashville, TN 37221
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES 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 we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hand s this 11th day of May, 2001

Bret S. O'Brien
BRET S. O'BRIEN

Julie O'Brien
JULIE O'BRIEN

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 BRET S. O'BRIEN AND WIFE, JULIE O'BRIEN

the bargainor s, 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 and official seal at Brentwood, Tennessee, this 11th day of May, 2001.

Commission expires May 28, 2003

Notary Public

SCOTT D. WEISS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY

STATE OF TENNESSEE
COUNTY OF

Before me, _____ a Notary Public within and for the State and County aforesaid, personally appeared _____ and _____ with whom I am personally acquainted and who upon _____ oath(s) acknowledged _____ to be the _____ and _____ respectively of the _____ the within named bargainor, and corporation, and that _____ as such _____ and _____ being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing the name of the corporation, by the said _____ as such _____, and attesting the same by the said _____ as such _____.

Witness my hand and official seal at office at _____ on this the _____ day of _____, _____.

My commission expires _____

Notary Public

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subject to easements, rights and interest in favor of other unit owners and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through or upon the land embracing the regime and building thereon; and also including without limitations all conditions, covenants, restrictions, options, burdens, assessments, and other undertakings contained in the Master Deed establishing a Horizontal Property Regime of Devon Close Townhomes, of record as aforementioned, said Register's Office; and taxes for the current year which have been prorated and assumed by the Grantee(s) herein.