THIS INSTRUMENT PREPARED BY: MUDTER & PATTERSON ATTORNEYS-AT-LAW 2000 Richard Jones Rd.,Suite 110 Nashville, Tennessee 37215 FILE: Box 9B First Title and Escrow Company, Inc. FTEC No. 17947	STATE OF TENNESSEE COUNTY OF DAVIDSON The actual consideration or value, whichever is greater, for this transfer is: $184,000.00 Affiant Subscribed and sworn to before me, this 4th day of June, 2001. Notary Public My Commission Expires:

WARRANTY DEED

Address New Owner(s):	Send Tax Bills to	Tax Information
PETER A. NIEMAN	FRANKLIN AMERICA MORTGAGE CO	126-15-A
8192 Settlers Way	501 Corporate Centre Drive,	148.00 CO
Nashville, Tennessee 37221	Franklin, Tennessee 37067	9D83996

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, WARREN B. SMITH AND WIFE, ELIZABETH K. SMITH, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to PETER A. NIEMAN**("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto. **and wife, Stacey A. Nieman

This is improved property located at 8192 Settlers Way, Nashville, Tennessee 37221.

TO HAVE AND TO HOLD said real estate with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors, heirs and assigns, forever.

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Wherever used, this singular shall include the plural, the plural and singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 4th day of June, 2001.

Davidson County DEEDWARR
Recvd: 06/07/01 10:32 2pgs
Fees:11.00 Taxes:680.80
20010607-0059968

WARREN B. SMITH

By Warren B. Smith by Michael Sohr Attorney in Fact
MICHAEL SOHR, ATTORNEY-IN-FACT*

ELIZABETH K. SMITH

By: Elizabeth K. Smith by Michael Sohr Attorney in Fact
MICHAEL SOHR, ATTORNEY-IN-FACT*

*BY POWER OF ATTORNEY RECORDED SIMULTANEOUSLY HEREWITH
#20010607-0059967

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, MICHAEL SOHR, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Attorney-In-Fact for the said WARREN B. SMITH and ELIZABETH K. SMITH, and is authorized by the said WARREN B. SMITH and ELIZABETH K. SMITH, to execute this instrument on their behalf.

Witness my hand, at office, this 4th day of June, 2001.

My Commission Expires:

NOTARY PUBLIC
LANGE
DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires
NOV. 29, 2003

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 178 on the Plan of Section Three Boone Trace At Biltmore, as of record in Plat Book 9700, pages 758 and 759, Register's Office for said County, to which plan reference is made for a more complete description.

Being the same property conveyed to Warran B. Smith and wife, Elizabeth K. Smith by deed from NVR, Inc., A Virginia Corporation, Sucessor by Merger to NVR Homes, Inc., a Virginia Corporation t/a Ryan Homes, A Virginia Corporation of record in Book 11657, page 112, said Register's Office.

This conveyance is made subject to: (1) 2001 Taxes, which have been prorated and assumed by the Grantees; (2) Restrictions of record in Book 7265, page 657, BOok 9342, page 312, re-recorded in Book 9735, page 931, amended in Book 10032, page 813, Book 10306, page 817, and in Book 11455, page 443; (3) Easement of record in Book 756, page 142; (4) Charter of record in Book 9607, page 534; and (5) All matters appearing on the Plan of record in Plat Book 9700, pages 758 and 759, said Register's Office.