PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

WARRANTY DEED

THIS INDENTURE is made and entered into this 28th day of September, 2001, by and between ROY C. WAGGONER, JR., A MARRIED MAN, and ROBERT EDWARD WAGGONER, UNMARRIED and BARBARA WAGGONER DANIEL, A MARRIED WOMAN, EACH HAVING AN UNDIVIDED 1/3 INTEREST IN AND TO SAID PROPERTY, hereinafter called Grantors, and HENRY L. PERRY and PHYLLIS W. PERRY, HUSBAND AND WIFE, hereinafter called Grantees.

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which are hereby acknowledged, ROY C. WAGGONER, JR., A MARRIED MAN, and ROBERT EDWARD WAGGONER, UNMARRIED and BARBARA WAGGONER DANIEL, A MARRIED WOMAN, EACH HAVING AN UNDIVIDED 1/3 INTEREST IN AND TO SAID PROPERTY, Grantors, do hereby bargain, sell, transfer and convey unto HENRY L. PERRY and PHYLLIS W. PERRY, HUSBAND AND WIFE, hereinafter referred to as Grantees, their successors, heirs and assigns, all of that certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantors in and to all buildings and fixtures located on said real estate, and any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (collectively, the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is improved property known as 414 DUE WEST AVENUE, MADISON, TN 37115.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantees, their successors, heirs and assigns forever. The Grantors covenant and agree with the said Grantees that Grantors are lawfully seized and possessed of the said real estate and that Grantors have a good and lawful right to sell the same. The Grantors further covenant that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantors further covenant and binds themselves and their successors, heirs and assigns, to warrant and forever defend the title to said Grantees, its successors and assigns, against the lawful claims of all persons whomsoever.

Billie Jean Waggoner, wife of ROY C. WAGGONER, JR., and Harry Daniel, husband of BARBARA WAGGONER DANIEL, the Grantors herein, join in the herein conveyance for the sole purpose of conveying any right, title and interest she may have in and to the property described herein, marital or otherwise.

WITNESS the hands and seals of Grantors on the day and year first above written.

Roy C. Waggoner
ROY C. WAGGONER, JR.
Signature of Seller

Billie Jean Waggoner
Billie Jean Waggoner, Spouse

Davidson County DEEDWARR
Recvd: 10/18/01 12:55 4pgs
Fees:23.00 Taxes:518.00

20011018-0113738

Robert Edward Waggoner
ROBERT EDWARD WAGGONER
Signature of Seller

Barbara Waggoner Daniel
BARBARA WAGGONER DANIEL

Harry Daniel
Harry Daniel, Spouse

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public of said County and State, ROY C. WAGGONER, JR. and wife, Billie Jean Waggoner, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this **28th** day of September, 2001.

Notary Public

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires: 5/30/2004

Name and Address of Property Owner:

HENRY L. PERRY and PHYLLIS W. PERRY, HUSBAND AND WIFE
414 DUE WEST AVENUE
MADISON, TN 37115

Property Address:

414 DUE WEST AVENUE
MADISON, TN 37115

Person Responsible for Taxes:

AmSouth Bank office
2050 Parkway Circle N.
Bldg RCM
Birmingham, AL 35244

Map & Parcel #: MAP 51-7, PARCEL 23

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$140,000.00** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this **28th** day of **September, 2001.**

Notary Public

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires: 5/30/2004

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, **ROBERT EDWARD WAGGONER**, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that HE/SHE/THEY executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office in **DAVIDSON** County, this 28th day of September, ~~19~~2001.

Denise C. Allis

Notary Public

My Commission Expires: 5/30/2004

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, **BARBARA WAGGONER DANIEL and husband, Harry Daniel**, the within named bargainor, 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 office in **DAVIDSON** County, this **28th** day of **September, 2001.**

Denise C. Allis

Notary Public

My Commission Expires: 5/30/2004

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

Notary Public

EXHIBIT 'A'

LAND in Davidson County, Tennessee, being Lot No. 7 on the Plan of the Subdivision of the Beasley Property, Section 1, not of record, described according to a survey made by W.W. Turner Company, Engineers, June 14, 1950, as follows:

Beginning on the northerly margin of Due West Avenue, at the corner of Lot Nos. 7 and 8, being the southwest corner of the property conveyed to W. C. Gaines and wife, by deed from Susie Mae Beasley, et al, of record in Book 1940, page 409, Register's Office for said County; thence with the line between said two lots and with the westerly line of said Gaines property, northwardly 350 feet; thence north 86 degrees, 33 minutes west 170.8 feet to the easterly margin of an unnamed street, as shown on said plan; thence with said street, southwardly 325 feet to the beginning if a curve; thence around said curve with a radius of 25 feet southwestwardly 39.3 feet to the northerly margin of Due West Avenue; thence with said Avenue, south 86 degrees, 33 minutes east 145.8 feet to the beginning.

BEING the same property conveyed to ROY C. WAGGONER AND WIFE, LORELLE T. WAGGONER, by Warranty Deed from RAY R. BAKER AND WIFE BARBARA F BAK, of record in Book 4257, Page 395, Register's Office for DAVIDSON County, Tennessee. The said Roy C. Waggoner having since died on 8-19-91, the property vested by operation of law in his surviving spouse, Lorelle T. Waggoner. Lorelle T. Waggoner has since died on May 13, 2001, and by her Last Will and Testament filed in the Probate Court for Davidson County, Tennessee, to Docket No. 01P-910, and filed in Will #1910/350459, the property was devised and bequeathed to Roy C. Waggoner, Jr., Robert Edward Waggoner, and Barbara Waggoner Daniel, the Grantors herein. Lorelle T. Waggoner and Lorelle Tittle Waggoner were one and the same person.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2002 and subsequent years, A LIEN, not yet due and payable (MAP 51-7, PARCEL 23).

2. Unrecorded easements for roads and utilities, if any.

3. Sewer Easement for sanitary sewer and/or storm drainage, to Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 5132, page 364, said Register's Office.