Prepared by:
Centennial Title Company, Inc.
30 Burton Hills Blvd., #240
Nashville, TN 37215

39-B
File #01-1722

Davidson County DEEDWARR
Recvd: 01/03/02 14:34 3pgs
Fees:18.00 Taxes:323.38
20020103-0001196

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Richard M. Cate and wife Carolyn Cate, and Chancellor Byron Waites and Beverly Cate Waites, Trustees of The Chancellor Waites or Beverly Cate Waites Joint Revocable Living Trust Agreement dated Dec. 5, 1996**, hereinafter called the Grantor, has bargained and sold, and by these presents does hereby transfer and convey unto **Phillip A. Neely**, 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:

Those certain premises comprising a portion of Royal Oaks Towers, said project having been established as a Horizontal Property Regime by Master Deed and Declaration and By-Laws dated the 22nd day of May, 1973, and recorded in the Register's Office for Davidson County, Tennessee, in Book 4710, Page 901, and said premises being more particularly described as follows:

Unit Labeled Apartment 3E of said project as shown on the plan recorded in Book 4460, Page 189, Register's Office for Davidson County, Tennessee, (and said unit shall have the exclusive use of that portion of the common elements labeled East Wing Closet (5E), which have been declared in the Declaration as a limited common element and said use shall be limited exclusively to the owner of Unit labeled Apartment 3E), excepting and reserving any portion of the common elements lying within said unit and easements through said unit appurtenant to the common elements and other units, all as set forth in the Declaration, and an undivided 1.46052% interest appurtenant to the unit in all common elements of said project as described in said Declaration including the building and land described.

Said conveyance shall include the right of ingress and egress from said property and the right to use, for proper purposes in common with all other occupants from time to time, any and all portions of the project designated by statute and the Declaration as common elements.

SEE ATTACHED EXHIBIT "A" FOR DERIVATION.

The property conveyed herein is subject to matters shown on the recorded plan, and to applicable easements and restrictions of record, and Property Taxes for the current year.

This is improved property, known as: 4505 Harding Pike Unit #3E, Nashville TN 37205.

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 covenant with the said Grantee that Grantor is lawfully seized and possessed of said of said land in fee simple, has 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. 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 THE EXECUTION HEREOF this 28th day of December, 2001

Richard M. Cate
Richard M. Cate

Carolyn C. Cate
Carolyn Cate

The Chancellor Byron Waites or Beverly Cate Waites Joint Revocable Living Trust Agreement Dated Dec. 5, 1996.

By: Chancellor Byron Waites
Chancellor Byron Waites, Trustee

By: Beverly Cate Waites
Beverly Cate Waites, Trustee

State of Tennessee)
County of Davidson)

On this 28th day of December, 2001, before me the undersigned, a Notary Public in and for said County and State, personally appeared before me the within named Richard M. Cate and Carolyn Cate, and Chancellor Byron Waites and Beverly Cate Waites, the bargainor(s), 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.

Notary ~~Public~~

My Commission Expires: 7-30-05

State of Tennessee)
County of Davidson)

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 87,400.00.

Affiant

Sworn and subscribed before me on this the 28th day of December, 2001.

Notary Public

My Commission Expires: 7-30-05

NEW OWNER:
Phillip A. Neely
4505 Harding Pike Unit #3E
Nashville, TN 37205

RESPONSIBLE FOR TAX PAYMENT:
Firstar Bank, N.A.
4801 Frederica Street
Owensboro, KY 42301

TAX MAP-PARCEL #:
116-3-A-22CO

EXHIBIT "A"

TITLE TO THE LAND HEREINAFTER DESCRIBED IS VESTED IN RICHARD M. CATE AND BEVERLY CATE WAITES BY WILL FROM THE ESTATE OF MILDRED ANDERSON CATE OF RECORD IN WILL BOOK 158, PAGE 265, PROBATE COURT FOR DAVIDSON COUNTY, TN.
THE SAID BEVERLY CATE WAITES HAVING CONVEYED HER INTEREST UNTO CHANCELLOR BYRON WAITES AND WIFE, BEVERLY CATE WAITES, TRUSTEES U/A/D DEC. 5, 1996 OF THE WAITES JOINT REVOCABLE LIVING TRUST AGREEMENT BY QUITCLAIM DEED OF RECORD IN BOOK 10287, PAGE 214, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TN.

AND BEING THE SAME PROPERTY CONVEYED TO MILDRED A CATE BY DEED FROM MARTHA ANN DILLON, UNMARRIED OF RECORD IN BOOK 5620, PAGE 633, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TN.