THIS INSTRUMENT PREPARED BY:
CHERNAU, CHAFFIN & BURNSED, PLLC
424 CHURCH STREET, SUITE 1750
NASHVILLE, TN 37219

MAP & PARCEL NO.
92-12/272

Davidson County DEEDWARR
Recvd: 01/29/02 08:29 4pgs
Fees:23.00 Taxes:2003.92

20020129-0011854

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $541,600.45.

Affiant

Subscribed and sworn to before me this the 17th day of January, 2002.

LINDA F. BURNSED NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires 1-26-05

ADDRESS NEW OWNER(S) AS FOLLOWS:

CAPITAL BANK & TRUST COMPANY
(Name)

(Street Address)
1820 WEST END AVENUE
NASHVILLE, TN 37203

SEND TAX BILLS TO:

SAME

# W A R R A N T Y  D E E D

For and in consideration of the sum of Five Hundred Forty-One Thousand Six Hundred and 45/100 ($541,600.45) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged, **DANIEL R. HIGHTOWER, MARRIED** (hereinafter referred to as the "Grantor") have bargained and sold, and by these presents do transfer and convey unto **CAPITAL BANK & TRUST COMPANY**, a Tennessee banking corporation (hereinafter referred to as the "Grantee") its heirs and assigns, a certain tract or parcel of improved land in **Davidson County**, State of Tennessee, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

This is improved property known as: **1915 State Street, Nashville, TN 37203.**

THIS conveyance is expressly made subject to any and all zoning regulations, building restrictions and setback lines, if any, easements and rights for public utilities applicable to this property; and all other matters of any kind or nature appearing of record; provided, however, Grantor warrants to Grantee, its successors and/or assigns, that there exist no mortgages, deed of trust liens or mechanics liens against the real property herein

conveyed, as of the time of execution hereof. Real property taxes for the current year have been prorated and assumed be assumed by the Grantee herein.

TO HAVE AND TO HOLD the said land, real estate and improvements, together with the appurtenances, estate, title and interest thereto belonging to the said Grantor, his heirs, successors and/or assigns, forever; and Grantors do covenant with the said Grantee that he is lawfully seized and possessed of said property in fee simple, has the good right to convey it, and that the same is unencumbered unless otherwise herein set out; and Grantor does further covenant and bind himself, his heirs, successors and/or assigns to warrant and forever defend the title to the said property to the said Grantor, its successors and assigns, against the lawful claims of all persons whomsoever.

This Deed is an absolute conveyance, the Grantor having sold said land to the Grantee for a fair and adequate consideration, such consideration, in addition to that above recited, being the full satisfaction of all obligations secured by that certain Deed of Trust and Security Agreement executed by Daniel R. Hightower, M.D., as Mortgagor to R. Rick Hart, as Trustee, to secured Capital Bank & Trust Company, as Mortgagee, recorded in Instrument No. 20010604-0057371, Register's Office for Davidson County, Tennessee, and the Note(s) secured thereby.

Grantor declares that this conveyance is freely and fairly made, and that there are no agreements, oral or written, or other than this Deed between Grantor and Grantee with respect to said land.

IN WITNESS WHEREOF, the Grantors have caused their names to be affixed hereto on this 17th day of January, 2002.

Grantors:

Daniel R. Hightower

Terri Hightower, the spouse of Daniel R. Hightower joins in this conveyance for the purpose of conveying any marital interest in the property she may have.

Terri Hightower

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a notary public in and for said County and State, personally appeared Daniel R. Hightower, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal in Nashville, Tennessee, this 17 day of January, 2002.

Christy E. Trudeau
Notary Public

My Commission Expires: 10/25/03

CHRISTY E. TRUDEAU
NOTARY PUBLIC OF TN
My Commission Expires 10/25, 2003

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a notary public in and for said County and State, personally appeared Terri Hightower, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that she executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal in Nashville, Tennessee, this 17 day of January, 2002.

Christy E. Trudeau
Notary Public

My Commission Expires: 10/25/03

CHRISTY E. TRUDEAU
NOTARY PUBLIC, STATE OF TN
My Commission Expires OCT. 25, 2003

I:WD2.GIN

EXHIBIT "A"

Land in Davidson County, Tennessee, being the following described tracts or parcels of land, to-wit:

Tract I:

Being Lot No. 12 in Division "A" of the Murphy Land Company's Plan of Lots, as of record in Book 161, page 113, Register's Office for Davidson County, Tennessee.

Said Lot No. 12 fronts 49.9 feet on the southerly side of State Street and extends back between parallel lines 170.5 feet to an alley in the rear.

Being the same property conveyed to Daniel R. Hightower and wife, Jane H. Hightower by deed of record in Book 5011, page 190, Register's Office for Davidson County, Tennessee. Also, being the same property conveyed to Daniel R. Hightower by Quitclaim Deed from Jane H. Hightower, dated June 21, 1978, recorded July 3, 1978, in Book 5306, page 834, Register's Office for Davidson County, Tennessee.

Tract II:

Being Lot No. 13 in Division A on the Plan of the Murphy Land Company, as of record in Book 161, page 113, Register's Office for said County.

Said Lot No. 13 fronts 50 feet on the southerly side of State Street, and runs back between parallel lines 170.5 feet to an alley.

Being the same property conveyed to Daniel R. Hightower and wife, Jane Hightower, by deed of record in Book 5011, page 192, Register's Office for Davidson County, Tennessee. Also, being the same property conveyed to Daniel R. Hightower by Quitclaim Deed from Jane H. Hightower, dated June 21, 1978, recorded July 3, 1978, in Book 5306, page 835, Register's Office for Davidson County, Tennessee.