(2)

Box 36

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

39-B
File #02-1080

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 **Bretton C. Smith and wife, Barbara Hawley Smith**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Steven L. Swartz and wife, Stephanie Swartz**, 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:**

A certain condominium apartment in Davidson County, Tennessee, being Unit No. 3 on the plan of Old Town Condominiums, of record in Book 6625, page 891, and re-recorded to which Exhibit C is incorporated herein and made a part hereof by reference.

Being the same property conveyed to Bretton C. Smith and wife, Barbara Hawley Smith by deed from Steven Bartley Knight and wife, Tracy Provo Knight, of record in Book 10866, page 323, Register's Office for Davidson County, Tennessee.

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: 1935 Capers Ave., Nashville TN 37212.

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 12th day of February, 2002

Bretton C. Smith by
Barbara H. Smith
Atty in Fact

Bretton C. Smith

Barbara H. Smith

Barbara Hawley Smith

Davidson County DEEDWARR
Recvd: 02/13/02 15:50 2pgs
Fees:13.00 Taxes:614.20

20020213-0019337

State of Tennessee)
County of Davidson)

On this 12th day of February, 2002, before me the undersigned, a Notary Public in and for said County and State, personally appeared before me the within named Barbara Hawley Smith, Individually and as Attorney in Fact for Bretton C. Smith , 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

KENNETH M. BALLEW NOTARY PUBLIC AT LARGE DAVIDSON CO., TN

State of Tennessee)
County of Davidson)

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: **$ 166,000.00.**

Affiant

Sworn and subscribed before me on this the ~~12th day~~ of February, 2002.

Notary ~~Public~~

My Commission Expires: 7-30-05

KENNETH M. BALLEW NOTARY PUBLIC AT LARGE DAVIDSON CO., TN

NEW OWNER:
Steven L. Swartz
1935 Capers Ave.
Nashville, TN 37212

RESPONSIBLE FOR TAX PAYMENT:
Franklin American
Mortgage Co.
501 Corporate Center Drive
Suite 400
Franklin TN 37067

TAX MAP-PARCEL #:
104-8-F-3CO