Davidson County DEEDWARR
Recvd: 03/13/02 10:31 4pgs
Fees:23.00 Taxes:377.40

20020313-0031536

This Instrument Prepared By:
HOWARD M. SKIPWORTH #012469
3353 Union Hill Road, Suite A
Post Office Box 489
Joelton, Tennessee 37080-0489

ADDRESS NEW OWNER:

Ronald Waller and wife,
Debora Waller
5544 Deer Run Road
Joelton, Tennessee 37080

SEND TAX BILLS:

Same

MAP/PARCEL NUMBER:

MAP 38, PARCEL 77

SEND TAX BILLS TO:

Same

THE ACTUAL CONSIDERATION OR VALUE WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ -0- , THIS 12th DAY OF March, 2002.

Affiant

Sworn to and subscribed before me
this 12th day of March, 2002.

NOTARY PUBLIC
My commission expires: 1-29-05

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 103,000.00

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 13 DAY OF March 20 02

Deputy Register

DEED IN LIEU OF FORECLOSURE

FOR AND IN CONSIDERATION OF THE SUM OF ONE AND NO/100 ($1.00) DOLLAR, cash in hand paid and other good and valuable considerations, including Grantee's relinquishing and giving up THEIR rights to advertise and sell the real property described herein pursuant to the terms, provisions and conditions set forth in that certain Deed of Trust, of record in INSTRUMENT NO. 19912130302070, Register's Office for Davidson County, Tennessee, the receipt and sufficiency of which are hereby expressly acknowledged, I, **TERRY RANDALL WALLER**, a single man, hereinafter referred to as GRANTOR, have this day bargained and sold, and do hereby transfer and convey unto the said **RONALD WALLER** and **DEBORA WALLER**, hereinafter referred to as GRANTEES, THEIR successors, heirs and assigns, certain real estate 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 GRANTOR in and to any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights

appurtenant thereto (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 6235 OLD HICKORY BOULEVARD, WHITES CREEK, TN 37189.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest belonging to the said GRANTEES, THEIR successors, heirs and assigns forever, I covenant that I AM lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered except to the extent otherwise set forth in Exhibit "B" hereto. I further covenant and bind MYSELF and MY heirs and representatives, to warrant and forever defend the title to said GRANTEES, THEIR successors, heirs and assigns, against the lawful claims of all persons.

WITNESS my hand and seal this 12th day of Mar., 2001.

Terry R. Waller
TERRY RANDALL WALLER

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, TERRY RANDALL WALLER, the within named bargainor, with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence), and who acknowledged to me that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this the 12th day of Mar., 2001.

Victoria A. Waller
NOTARY PUBLIC

VICTORIA A. WALLER NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My commission expires: 9-05

EXHIBIT 'A'

Land situated in the 14th Civil District of Davidson County, Tennessee, being a portion of the Tomlinson Johnson property, as of record in Deed Book 10759, page 580, Register's Office for Davidson County, Tennessee, and being more particularly described as Tract 1 on the survey by Survey Solutions, Steve Axley, R.L.S. #1975, dated 07-08-99, described as follows:

Beginning at an iron pin in the westerly margin of Old Hickory Blvd., said point being the northeast corner of tract 1 and the southeast corner of tract 2; thence with said roadway margin with a curve having a radius of 755.00', an arc length of 278', to a point; thence continuing with said roadway margin S 31 deg. 34' 46" E 123.93' to an iron rod (old), said point being the southeast corner of tract 1 and the northeast corner of Mary John Tomlinson, as of record in Deed Book 1853, page 221, Register's Office for Davidson County, Tennessee; thence, leaving said road margin and running with the line of Tomlinson S 50 deg. 47' 45" W 194.36' to a fence post, said point being the southwest corner of Tract 1; thence, N 61 deg. 23' 25" W 521.73' to a fence post in the northerly line of Tomlinson; thence N 50 deg 22' 43" W 328.76' to a nail in the base of a 24" tree, said point being the northwest corner of tract 1 and the southwest corner of tract 2; thence leaving said point and running with a common line between tract 1 and tract 2, N 87 deg. 45' 22" E 698.68' to the point of beginning, containing 5.01 acres, more or less, according to a survey by Survey Solutions, Steve Axley, TN R.L.S. #1975, dated July 8, 1999.

Being the same property conveyed to Terry Randall Waller, by Warranty Deed from Ronald Waller and wife, Debora Waller, of record in Instrument No. 199912130302069, Register's Office for Davidson County, Tennessee.

EXHIBIT 'B'

1. Real property taxes for 2001 and all future years.
2. Restrictive Covenants for Tracts #1, 2 and 3, being part of Map 38, parcel 77, contained in Deed of record in Book 11660, page 949, said Register's Office.
3. Unrecorded easements for roads and utilities, if any.