PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

Woodmont Centre, Suite 100
104 Woodmont Blvd.
Nashville, TN 37205
Ph. (615) 298-3312 - Fax. 292-8746
E-mail: *main@wilkinsandivey.com*

Davidson County DEEDWARR
Recvd: 05/09/02 15:10 2pgs
Fees:13.00 Taxes:625.30
20020509-0057606

W & I Ref:(ST) Title No: 43004
Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Benjamin W. Y. Hornsby Rebecca Y. Hornsby 4933 Stillwood Drive Nashville, Tennessee 37220	Capital Bank and Trust Company 1820 West End Avenue Nashville, Tennessee 37203

TAX MAP-PARCEL NUMBERS: 146-07-042

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$169,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **David P. Cain and Tammie Lynn Wadlinger**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Benjamin W. Y. Hornsby and spouse, Rebecca Y. Hornsby** 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:**

Land in Davidson County, Tennessee, being Lot No. 122 on the Plan of Section One, Revised, Crieve Hall Estates of record in Book 1835, Page 122, 123 & 124 Register's Office for said County.

Said Lot No. 122 fronts 120.0 feet on the broken westerly margin of Stillwood Drive and extends back 170.5 feet on the northerly line and 218.7 feet on the southerly line to a dead line in the rear, measuring 92 feet thereon.

Being the same property conveyed to David P. Cain, Jr. and wife, Tammie L. Cain by deed from Ronald G. Pennell and wife, Gretchen L. Pennell of record in Book 11127, Page 321 Register's Office for Davidson County, Tennessee. The said David P. Cain, Jr. and Tammie L. Cain have since divorced by Final Decree No. 00D-2340, in the Fourth Circuit Court for Davidson County, Tennessee The said Tammie L. Cain is now known as Tammie Lynn Wadlinger.

Description Reference: Described according to (or by reference to) the recorded subdivision Plan.

This conveyance is subject to: Taxes for 2002, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 1835 Page 122, 123 & 124, said Register's Office, which Plan shows a 55 foot minimum building setback line from Stillwood Drive and a 10 foot easement for public utility purposes along the rear line(s).

This is improved property, known as: 4933 Stillwood Drive, Nashville, Tennessee 37220

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 COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a 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.

WITNESS THE EXECUTION HEREOF this 1st day of April, 2002.

David P. Cain

Tammie Lynn Wadlinger

State of TENNESSEE

County of DAVIDSON

On this 1st day of April, 2002 , before me the undersigned authority, personally appeared David P. Cain andTammie Lynn Wadlinger , 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.

My Commission Expires:

CHRISTY WILKINS IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires 7/26/2003

Notary

State of TENNESSEE

County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is $169,000.00

Affiant

Sworn and subscribed before me this the 1st day of April, 2002

My Commission Expires:

CHRISTY WILKINS IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires 7/26/2003

Notary Public