Return To:
First Title & Escrow Co., Inc.
File Box 9B
#19033

This Instrument Prepared By:
Kathryn H. Pennington
Suite 1050 American Center
3100 West End Avenue
Nashville, TN 37203

NEW OWNER	SEND TAX BILL	MAP-PARCEL NO.
David M. Ellingson and wife, Kim C. Ellingson 1829 Tyne Boulevard Nashville, TN 37205	SAME	Map 144-0 Parcel 113

WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, Kenneth Sears and wife, Cheryl Sears ("Grantors"), have bargained and sold, and by these presents do transfer and convey to David M. Ellingson and wife, Kim C. Ellingson ("Grantees"), their heirs, successors, and assigns, certain real estate (the "Property") in Davidson County, Tennessee, described as follows:

BEING the remaining portion of the G. Rhea Bucy, Trustee property as evidenced in Deed Book 8375, page 913, Register's Office for Davidson County, Tennessee, lying on the south side of Tyne Boulevard and shown as the "Remainder" lot on the plat titled Tyne Park Subdivision, surveyed by Scott D. McCormick, TN R.L.S. No. 1672 and dated January 18, 1995 as of record in Plat Book 7900, page 933, of the Register's Office, Davidson County, Tennessee, and further described as follows:

BEGINNING at an old iron rod set in the south margin of Tyne Boulevard, said point being the most northwestern corner of said tract and the common corner of the Robert A. Porter, Jr., et ux land as of record in Deed Book 1428, page 003, Register's Office, Davidson County, Tennessee.

THENCE, along the south margin of Tyne Boulevard, through a curve to the left, having a central angle of 4 degrees, 38 minutes, 15 seconds, and a radius of 860.57 feet, a distance along the arc of 69.65 feet to a new iron rod.

THENCE, leaving said margin and along the common line of Lot Number One of said Tyne Park Subdivision, south 49 degrees, 39 minutes, 17 seconds west, a distance of 89.55 feet to a new iron rod.

THENCE, continuing with said Lot Number One line, south 38 degrees, 17 minutes, 00 seconds west, a distance of 500.00 feet to a new iron rod.

THENCE, continuing with said Lot Number One line, south 51 degrees, 43 minutes, 00 seconds east, a distance of 242.51 feet to a new iron rod, set on the common line of the Alice Caldwell Porter property as of record in Deed Book 5491, page 710, Register's Office.

THENCE, with the said Alice Caldwell Porter line, south 35 degrees, 30 minutes, 00 seconds west, a distance of 730.65 feet to an old iron rod, set in the common line of the Rowland Investments, LP property as of record in Deed Book 9144, page 886, said Register's Office.

THENCE along the common line of the Rowland Investments LP property, north 58 degrees, 47 minutes, 37 seconds west, a distance of 330.50 feet to an old iron rod, set at the common corner of the Robert A. Porter, Jr., et ux property as of record in Deed Book 1428, page 003, said Register's Office.

THENCE, with the said Robert A. Porter, Jr., et ux. Line, north 38 degrees, 17 minutes, 00 seconds east, a distance of 1374.77 feet to an old iron rod being the point of beginning. Said tract containing 6.05 acres more or less.

Davidson County DEEDWARR
Recvd: 05/23/02 12:11 6pgs
Fees:33.00 Taxes:3043.25
20020523-0062946

Together with and subject to that certain Driveway Easement as set forth in Deed of record in Book 9652, page 791, said Register's Office.

BEING the same property conveyed to Kenneth Sears and spouse, Cheryl Sears by deed from G. Rhea Bucy, Trustee of record in Book 9652, page 791, Register's Office for Davidson County, Tennessee.

Grant of Easement

As part of the consideration for the sale and conveyance of the property described herein, Grantors hereby grant and convey to Grantees, Grantees' heirs and assigns, a permanent, non-exclusive water line easement within which to operate, maintain, inspect, repair and replace the existing water line located on Grantors' property adjoining the property conveyed herein, as more particularly described on Exhibit A attached hereto, the approximate location of which is shown on the Final Plat of Tyne Park Subdivision, of record in Plat Book 7900, page 933, Register's Office for Davidson County, Tennessee, a copy of which is attached hereto as Exhibit B.

Grantors and Grantees covenant and agree as follows:

(1) Grantors and Grantees shall have common use of the easement granted herein, but at any one time, there shall be only one water line for Grantees located in the easement granted herein.

(2) Grantees shall have reasonable ingress and egress to the easement granted herein and use of the property owned by Grantors immediately adjacent to the easement granted herein for exercise of the rights granted herein; provided, however, that exercise of such rights shall not unreasonably interfere with Grantors' use and enjoyment of Grantors' property, including, without limitation, Grantors' use and enjoyment of the building envelopment, as set forth on Exhibit B hereto.

(3) Grantors will not allow any excavation, building, structure or obstruction of any kind on the water line easement granted herein, and Grantors will not destroy, weaken, or damage the water line, or interfere with the operation thereof or the flowage of water therein.

(4) Grantees will be responsible for the ordinary maintenance and repair of the water line easement, and Grantees shall indemnify and hold Grantors harmless for the cost of any such maintenance and repair or any damage or loss resulting from Grantees' use and enjoyment of the water line easement.

Grantees join in the execution of this Deed for the purpose of acknowledging and agreeing to the terms of the easement as stated.

TO HAVE AND TO HOLD said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to the Grantees, their heirs, successors and assigns, forever.

The Grantors covenant with the Grantees that Grantors are lawfully seized and possessed of the said Property in fee simple; that Grantors have a good right to convey the Property; and that the Property is unencumbered, except as follows:

(1) 2002 Davidson County taxes, a lien not yet due or payable, which have been prorated at closing and are hereby assumed by the Grantees.

(2) Plan of record in Plat Book 7900, page 933, Register's Office for Davidson County, Tennessee.

(3) Driveway Easement of record in Book 9652, page 791, said Register's Office.

(4) Sewer Easement of record in Book 8009, page 13, said Register's Office.

(5) Subject to the flow of any creeks, streams or branches

This is improved property commonly known as 1829 Tyne Boulevard, Nashville, Davidson County, Tennessee 37205.

The Grantors further covenant to warrant and forever defend the title to the Property to the Grantees, their heirs, successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantors have executed this Warranty Deed this 14 day of May, 2002.

GRANTORS:

Kenneth Sears

By: Cheryl Sears, Attorney-in-Fact

Cheryl Sears

GRANTEES:

David M. Ellingson

Kim C. Ellingson

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Cheryl Sears , with whom I am personally acquainted, and who acknowledge that she executed the within instrument for the purposes therein contained, and who further acknowledge that she is the ATTORNEY-IN-FACT of Kenneth Sears, and is authorized by him to execute this instrument on behalf of him.

WITNESS my hand, at office, this 14th day of May, 2002.

Notary Public

My Commission Expires: 3/25/06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public, of the said county and state, Cheryl Sears, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of May, 2002.

Notary Public

My Commission Expires: 3/25/06

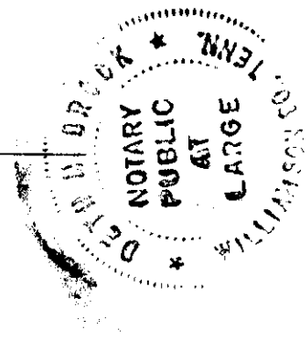
French/Sears/deed

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public, of the said county and state, David M. Ellingson and Kim C. Ellingson, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of May, 2002.

Beth M. Brock
Notary Public



My Commission Expires: 5/16/05

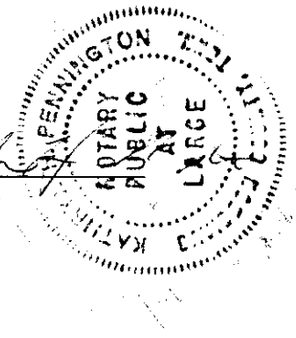
STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $822,500.00.

Affiant

Sworn to and subscribed before me this 14th day of May, 2002.

Notary Public



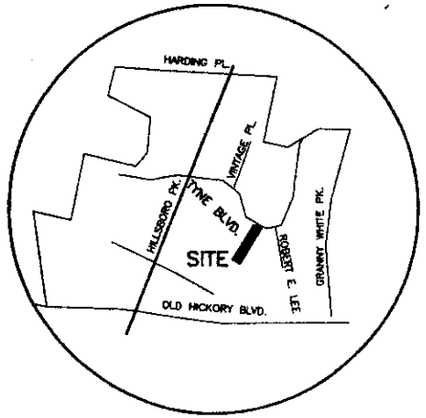
My Commission Expires: 3/25/06

EXHIBIT A

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of Tyne Park Subdivision, of record in Book 7900, page 933, Register's Office for Davidson County, Tennessee to which Plan reference is hereby made for a more complete description thereof.

Being the same property conveyed to Kenneth Sears and wife, Cheryl Sears by deed from G. Rhea Bucy, Trustee, of record in Book 11032, page 28, said Register's Office.

EXHIBIT B



VICINITY MAP N.T.S.

CURVE	ARC	DELTA	RADIUS	TAN LENGTH
C1	138.45	9°13'05"	860.57	69.38
C2	89.65	4°36'15"	880.57	34.85

LINE	BEARING	DISTANCE
L1	S 49°33'48" E	55.20
L2	S 45°00'00" E	4.72
L3	N 49°36'17" E	89.55

GEOTECHNICAL NOTES:
ALTHOUGH THE SOIL SURVEY, OF DAVIDSON COUNTY, TENNESSEE, MADE BY THE UNITED STATES DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE DOES NOT SPECIFY ANY COLLUVIAL DELLROSE SOIL ON THE BUILDING ENVELOPE OF LOT NUMBER ONE ON THIS DEVELOPMENT, THE OWNER/DEVELOPER AGREES:
(a.) PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT, A GEOTECHNICAL STUDY SHALL BE PREPARED BY A LICENSED GEOTECHNICAL ENGINEER AND SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL BY THE CITY ENGINEER, BEFORE COMMENCEMENT OF CONSTRUCTION OF ANY RESIDENCE ON ANY LOT, THE OWNER/DEVELOPER AND CONTRACTOR MUST AGREE IN WRITING TO COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL STUDY, AND SHALL FURTHER AGREE TO HOLD THE CITY HARMLESS FROM ANY FAILURE TO DO SO; OR
(b.) A LETTER PREPARED BY A LICENSED GEOTECHNICAL ENGINEER STATING THAT THERE IS NO COLLUVIAL DELLROSE SOIL IN THE AREA OF THE BUILDING SITE ON THIS LOT MUST BE SUBMITTED WITH APPLICATION FOR BUILDING PERMIT FOR REVIEW AND APPROVAL OF THE CITY MANAGER PRIOR TO THE ISSUANCE OF THE PERMIT

THIS REMAINDER 6.05 ACRES HAS NOT BEEN EVALUATED, PURSUANT TO THIS PLAT REVIEW FOR AN SSD SYSTEM AND PLAT APPROVAL DOES NOT CONSTITUTE APPROVAL OF THIS LOT OR THE EXISTING SYSTEM.

NOTE:
ALL OLD IRON RODS WERE FOUND DRIVEN FLUSH BESIDE A METAL POST.

SCOTT D. McCORMICK
TN. R.L.S. 1672

DB. 8375 PG.913

CERTIFICATE OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN HEREON AS OF RECORD IN BOOK 8375 PAGE 913 REGISTERS OFFICE OF DAVIDSON COUNTY, TENNESSEE (R.O.D.C.) AND ADOPT THE PLAN OF SUBDIVISION OF THE PROPERTY SHOWN HEREON AND DEDICATE ALL PUBLIC WAY AND EASEMENTS AS NOTED. I (WE) FURTHER CERTIFY THAT THERE ARE NO LIENS ON THIS PROPERTY, EXCEPT AS FOLLOWS : BOOK 4113 PAGE 312 R.O.D.C.

OWNER (S) — DATE 4/10/95

TITLE (IF ACTING FOR PARTNERSHIP OR CORPORATION)

CERTIFICATE OF SURVEY

I (WE) HEREBY CERTIFY THAT THE SUBDIVISION PLAT AS SHOWN HEREON IS CORRECT AND THAT ALL OF THE MONUMENTS SHOWN HEREON HAVE BEEN PLACED AS INDICATED. THE SUBDIVISION PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE 18TH DAY OF JAN. 1995

SURVEYOR TENNESSEE LICENSE NO. — DATE 3-2-95

RECORD
RECORDED APRIL 17, 1995 BOOK 7900, PAGE 933
REGISTERS OFFICE DAVIDSON COUNTY, TENNESSEE

CERTIFICATE OF APPROVAL OF WATER AND SEWER SYSTEM

I HEREBY CERTIFY THAT: (1) THE WATER AND SEWER SYSTEMS DESIGNATED IN _____ SUBDIVISION HAVE BEEN INSTALLED IN ACCORDANCE WITH METROPOLITAN WATER AND SEWER DEPARTMENT SPECIFICATIONS, OR (2) A PERFORMANCE BOND IN THE AMOUNT OF $ _____ FOR THE WATER SYSTEM AND $ _____ FOR THE SEWER SYSTEM HAS BEEN POSTED WITH THE CITY OF FOREST HILLS, TENNESSEE TO ASSURE COMPLETION OF SUCH SYSTEM

SUPT. METRO WATER AND SEWER DEPARTMENT — DATE

CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

I HEREBY CERTIFY THAT: (1) THE STREETS AND DRAINAGE DESIGNATED IN _____ SUBDIVISION HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY SPECIFICATIONS, OR (2) A PERFORMANCE BOND IN THE AMOUNT OF $ _____ FOR STREETS AND $ _____ FOR DRAINAGE HAS BEEN POSTED WITH THE CITY OF FOREST HILLS, TENNESSEE, TO ASSURE THE COMPLETION OF SUCH IMPROVEMENTS.

CITY MANAGER, CITY OF FOREST HILLS — DATE

CERTIFICATE OF APPROVAL FOR RECORDING:

APPROVED BY THE CITY OF FOREST HILL MUNICIPAL PLANNING COMMISION, FOREST HILLS, DAVIDSON COUNTY, TENNESSEE, WITH THE EXCEPTION OF SUCH CONDITIONS, IF ANY AS ARE NOTED IN THE PLANNING COMMISSION MINUTES FOR THE _____ DAY OF _____ 19 ____ AND THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTERS OFFICE OF DAVIDSON COUNTY.

SECRETARY, FOREST HILLS MUNICIPAL PLANNING COMMISSION — DATE

GENERAL NOTES:

1. SITE GRADING IS TO BE MINIMAL AND LIMITED TO THE BUILDING FOOTPRINT AREA.
2. ACCESS TO LOT #1 IS ONE TO BE THROUGH THE EXISTING DRIVE.
3. ANY NECESSARY EROSION CONTROL TO BE INSTALLED AS DIRECTED BY THE CITY ENGINEER
4. THESE LOTS ARE NOT SHOWN TO BE IN AN AREA DESIGNATED "SPECIAL FLOOD HAZARD" ON F.E.M.A. COMMUNITY – PANEL NUMBER 470040 0276B, EFFECTIVE JUNE 15, 1982.
5. ALL VISIBLE AND APPARENT UTILITIES HAVE BEEN SHOWN, HOWEVER EXACT LOCATIONS WILL NEED TO BE MARKED BY THE UTILITY COMPANIES INVOLVED BEFORE ANY EXCAVATION COMMENCES.
6. ADJACENT PROPERTY LINES HAVE BEEN LOCATED USING THE LATEST TAX MAP.
7. CONTOURS SHOWN WERE DIGITZED FROM AN AERIAL TOPO MAP.
8. DRIVEWAY MAINTENANCE
OWNER OF LOT NUMBER ONE AND THE OWNER OF THE REMAINING 6.05 ACRES ARE TO BE RESPONSIBLE IN EQUAL SHARES FOR THE REASONABLE MAINTENANCE AND REPAIR OF THOSE PORTIONS OF THE DRIVEWAY WHICH ARE JOINTLY USED.
9. EROSION CONTROL METHODS SHAL INCLUDE STAKED HAYBALES AND OR SILT FENCE AS NEEDED.

FINAL PLAT
TYNE PARK SUBDIVISION
A ONE LOT SUBDIVISION
FOREST HILLS, DAVIDSON COUNTY, TENNESSEE
1829 TYNE BLVD.
JANUARY 18, 1995 – 9.05 ACRES TOTAL
TAX MAP 144 PARCEL 77 – DEED BOOK 8375 PAGE 913
ZONING – METRO 5ZZ, FOREST HILLS DISTRICT "EB"

OWNER: G. RHEA BUCY, TRUSTEE
P.O. BOX 2757
NASHVILLE TN. 37219-0757
(615) 244-4994

CONTACT PERSON: SCOTT D. McCORMICK
204 BROOKHOLLOW DR.
OLD HICKORY TN 37138
(615)773-7382

0 100 200 300 400
SCALE 1" = 100'

MCCORMICK LAND SURVEYORS
204 BROOKHOLLOW DR. OLD HICKORY TN. 37138
PHONE (615) 773-7382

LEGEND
IRN = IRON ROD NEW
IRO = IRON ROD OLD
WM = WATER METER
SS = SANITARY SEWER MANHOLE
POWER POLE = -O-
M.B.S.L. = MINIMUM BUILDING SETBACK LINE

I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1: 10,000 AS SHOWN HEREON.

SURVEYOR: _____
TENN.REG.NO. 1672

TOTAL ACREAGE = 9.05 AC.