PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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W & I Ref: GJ Title No: 43549

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 06/18/02 15:18 3pgs
Fees:18.00 Taxes:1221.00
20020618-0073849

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
James B. Foley Abby. Foley 2824 Kenway Rd Nashville, TN 37215	USAA Federal Savings Bank Attn: First Mtg. Loan Service 10750 McDermott Freeway San Antonio, TX 78288-0558

TAX MAP-PARCEL NUMBERS: 117-13-067

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$330,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Charles L. Rice, married,**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **James B. Foley and spouse, Abby Foley** 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. 80 on the Plan of Woodmont Estates No. 2 of record in Book 1130, page 99, Register's Office for said County.

Said Lot No. 80 fronts 100.5 feet on the northerly margin of Kenway Road and extends back 234.9 feet on the westerly line and 234.4 feet on the easterly line to a dead line in the rear, measuring 100 feet thereon.

Being the same property conveyed to Charles P. Rice and wife, Sara O. Rice by deed from Ralph S. Lehman and wife, Kate C. Lehman of record in Book 2398, page 409, said Register's Office. The said Charles P. Rice and Sara O. Rice have since died, with Charles P. Rice predeceasing Sara O. Rice. The Last Will and Testament of Sara Owsley Rice of record in Will Book 3838, page 707613, in the Seventh Circuit Court for Davidson County, Tennessee, Probate Division and also of record in Doc. No. 20020509-0057110, said Register's Office, devised subject property to Charles Lee Rice.

Viona S. Rice, Spouse of Charles Lee Rice, joins in this conveyance to convey any and all martial rights in the subject property.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2002, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 1130 Page 99, said Register's Office, which Plan shows a 50 foot minimum building setback line from Kenway Drive and a 10 foot easement for public utility purposes along the rear line(s).

This instrument is executed on behalf of Viona S. Rice by Charles L. Rice as Attorney in Fact pursuant to a Power of Attorney being recorded simultaneously herewith. The affidavit of said Attorney in Fact is attached as "Exhibit A' to this instrument and incorporated herein by reference.

This is improved property, known as: 2824 Kenway Road, Nashville, Tennessee 37215

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 14th day of June, 2002 .

Charles L. Rice

Charles L. Rice

Viona S. Rice By: Charles L. Rice, Atty-in-Fact Atty-in-Fact

Viona S. Rice By: Charles L. Rice, Atty-in-Fact

State of TENNESSEE

County of DAVIDSON

On this 14th day of June, 2002 , before me the undersigned authority, personally appeared **Charles L. Rice** , 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: $330,000.00

Affiant

Sworn and subscribed before me this 14th day of June, 2002

My Commission Expires: 3/25/06

Notary Public

ALAN SCHLEZER NOTARY PUBLIC TENNESSEE DAVIDSON COUNTY

Wldoc: Deed Wty—12/92

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named , **Charles L. Rice** with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of **Viona S. Rice** , as Attorney-in-Fact, as the free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this 14th day of June, 2002

Notary Public

My Commission Expires:

CHRISTY WILKINS IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY TENN.

My Commission Expires 7/26/2003

EXHIBIT "A"

To

Warranty Deed

FROM: Charles L. Rice

TO: James B. Foley and spouse, Abby Foley

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited is executed by the undersigned as attorney-in-fact for the principal(s) thereon shown.

2. That this execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. Pursuant to the provisions of *Tennessee Code Annotated,* Section 34-6-105(c), of the Uniform Durable Power of Attorney Act, the undersigned Affiant certifies that at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Charles L. Rice, Affiant

Sworn to and subscribed before me this

14th day of June, 2002

Notary Public

My Commission Expires:_____

CHRISTY WILKINS IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY TENN.

My Commission Expires 7/26/2003