PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

Parklane Building, Suite 109
5200 Maryland Way
Brentwood, TN 37027
Ph. (615) 507-2004 - Fax. 507-2002
E-mail: *main@wilkinsandivey.com*

BOX 2

W & I Ref: SK Title No: 43598

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 07/29/02 14:10 3pgs
Fees:18.00 Taxes:1202.50

20020729-0090570

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
James D. Rolfe Mary K. Rolfe 905 Whiteheath Court Nashville, TN 37221	New Owner

TAX MAP-PARCEL NUMBERS: 142-16-A-40.00

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$325,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Scott T. Beels and spouse, Kimmery J. Beels**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **James D. Rolfe and wife, Mary K. Rolfe** 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. 40 on the plan of Devon Park, Phase One, of record in Book 5200, pages 670, 671, and 672, Register's Office for said County.

SAID Lot No. 40 fronts 82.00 feet on the westerly margin of Whiteheath Court and extends back between parallel lines 140 feet to a dead line.

BEING the same property conveyed to Scott T. Beels and spouse Kimmerly J. Beels by deed from Roger D. Osborne and spouse, Greta P. Osborne of record in Book 8667, page 617, Register's Office for Davidson County, Tennessee.

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 5200, Pages 670, 671 and 672, said Register's Office, which Plan shows 25, 8, 2 and 20 foot minimum building setback lines from Whiteheath Court, the northerly line, the southerly line, and the rear line, respectively, and 10 foot easement for drainage purposes along the rear line of said lot; Driveway Easement of record in Book 6385, page 59, said Register's Office; Storm Water Detention Easement of record in Book 6145, page 252, said Register's Office; The Declaration of Covenants, Conditions and Restrictions of record in Book 6176, page 7, said Register's Office, which sets forth assessments, liens and other matters, to which Declaration reference is hereby made for more particulars.

This instrument is executed on behalf of Scott T. Beels by Kimmery J. Beels 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: 905 Whiteheath, Nashville, Tennessee 37221

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 10th day of July, 2002 .

Scott T. Beels By: Kimmery J. Beels, Atty-in-Fact

Kimmery J. Beels

State of TENNESSEE
County of DAVIDSON

On this 10th day of July, 2002 , before me the undersigned authority, personally appeared **Kimmery J. Beels** , 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 JULY 26, 2003

Notary

State of TENNESSEE
County of DAVIDSON

A F F I D A V I T

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $325,000.00

Affiant

Sworn and subscribed before me this 10th day of July, 2002

My Commission Expires: 2/20/2006

NICHOLE G. LANDERS NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

Notary Public

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 , **Kimmery J. Beels** 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 **Scott T. Beels** , 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 10th day of July, 2002

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

Notary Public

My Commission Expires:

My Commission Expires JULY 26, 2003

EXHIBIT "A"
To
Warranty Deed

FROM: Scott T. Beels and spouse, Kimmery J. Beels

TO: James D. Rolfe and wife, Mary K. Rolfe

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.

Kimmery J. Beels, Affiant

Sworn to and subscribed before me this

10th day of July, 2002

Notary Public

My Commission Expires:

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

My Commission Expires JULY 26, 2003