THIS INSTRUMENT PREPARED BY: **Mudter & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **File Box 9B:** **First Title & Escrow Co., Inc.** **FTEC File No. 19394**	STATE OF TENNESSEE: COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $1,035,000.00. Affiant Subscribed and sworn to before me, this 5th day of SEPTEMBER, 2002. Notary Public My Commission Expires:

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 29, 2003

WARRANTY DEED

Address New Owner: Mr. and Mrs. Garth Fails 214 Deer Park Drive Nashville, TN 37205	**Send Tax Bills To:** NEW OWNER	**Tax Information:** MAP 116-10 PAR 131 FB BM 27025

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, THOMAS B. ZERFOSS, III AND WIFE, EMILY P. ZERFOSS ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to GARTH FAILS AND WIFE, CAROL FAILS ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at 214 Deer Park Drive, Nashville, Tennessee 37205.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its successors, heirs and assigns, forever.

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 5th day of SEPTEMBER, 2002.

THOMAS B. ZERFOSS, III

EMILY P. ZERFOSS

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, THOMAS B. ZERFOSS, III AND WIFE, EMILY P. ZERFOSS, 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 5th day of SEPTEMBER, 2002.

My Commission Expires:

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires September 25, 2004

Notary Public

Davidson County DEEDWARR
Recvd: 09/09/02 08:34 2pgs
Fees:13.00 Taxes:3829.50

20020909-0108553

EXHIBIT "A"

Being the southerly 210 feet of lot numbered 27 in A.M. Bransford's Subdivision of Lot Nos. 29, 30, 31, 32, 33, 34 and 45 in First Belle Meade Subdivision, a plan of which is recorded in Book 421, page 139, of the Register's Office for Davidson County, Tennessee, and more particularly described as follows:

Beginning at a point in the northerly margin of Deer Park Drive, the common corner of Lot Nos. 27 and 28 in said plan, running thence in a northerly direction along the boundary line of said lots, 210 feet to a point; thence at right angles to said boundary line and in a westerly direction 95 feet, more or less, to boundary line between Lot Nos. 26 and 27 in said plan; thence in a southerly direction and along the boundary line between said Lot Nos. 26 and 27, 210 feet to a point in the northerly margin of Deer Park Drive; thence along the northerly margin of Deer Park Drive in an easterly direction 100 feet to the point of beginning.

Being the same property conveyed to Thomas B. Zerfoss, III and wife, Emily P. Zerfoss by deed from George N. Spiva and wife, Elizabeth Fulcher Spiva of record in Book 6615, page 567, said Register's Office.

This conveyance is made subject to: (1) 2002 Taxes, which have been prorated and assumed by the Grantee; (2) Easements of record in Book 5894, page 230; and (3) All matters appearing on the Plan of record in Plat Book 421, page 139, said Register's Office.