18706

RECORD & RETURN TO:
FILE BOX 36

WARRANTY DEED

Davidson County DEEDWARR
Recvd: 09/20/02 15:32 3pgs
Fees:18.00 Taxes:6660.00
20020920-0115156

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $1,800,000.00.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18TH DAY OF SEPTEMBER, 2002.

NOTARY PUBLIC

THIS INSTRUMENT WAS PREPARED BY:
J. Michael Morgan
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #18706SP

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Barney Byrd Elena C. Byrd 5910 Hillsboro Road Nashville, TN 37215	CITIMORTGAGE, INC. P.O. Box 81300 Atlanta, GA 30366	144-00-058

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Franklin National Bank, hereinafter called **"GRANTORS,"** have bargained and sold, and by these presents do transfer and convey unto Barney Byrd and wife, Elena C. Byrd, hereinafter called **"GRANTEES,"** their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION:

The conveyance of the above-described parcel of land is subject to the following:

1. 2002 Davidson County taxes which have been prorated by the parties and assumed by the Grantees; and
2. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property; and
3. All matters shown on plan of record in Book 5200, page 698, Register's Office for Davidson County, Tennessee (Tract I); and
4. Easement for sanitary sewers and/or storm drainage of record in Book 7753, page 480 and Book 7808, page 433, Register's Office for Davidson County, Tennessee; and
5. Easement for private water mains and appurtenances, of record in Book 8067, page 689, Register's Office for Davidson County, Tennessee; and
6. Driveway Easement and Maintenance Agreement, of record in Book 1118, page 112, Register's Office for Davidson County, Tennessee; and

7. Easement for ingress/egress to Family Cemetery, of record in Book 1196, page 650, Register's Office for Davidson County, Tennessee; and

This property is also known as improved property located at 5910 Hillsboro Road, Nashville, TN 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 GRANTEES, their heirs and assigns, forever, and GRANTORS do covenant with the said GRANTEES that they are lawfully seized 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; and GRANTORS do further covenant and bind themselves, their heirs and assigns, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this 18th day of September, 2002.

Franklin National Bank:

By: Gordon E. Inman Chairman
Gordon E. Inman, Chairman

STATE OF TENNESSEE |
|
COUNTY OF DAVIDSON |

Personally appeared before me, Gordon E. Inman, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Chairman of the grantor or a constituent of the grantor and is authorized by the grantor or by its constituent, the constituent being authorized by the grantor, to execute this instrument on behalf of the grantor.

WITNESS my hand and seal of office in Nashville, Tennessee, this 18th day of September, 2000.

NOTARY PUBLIC

My commission expires: _____

EXHIBIT "A"

TRACT I:

Land in the 7th Civil District of Davidson County, Tennessee, being a part of Lot No. 6 on the Plan of W. W. Mooney Lands, as of record in Minute Book 4, page 191, Register's Office for Davidson County and as described by a survey by Gaffron and Jeffers in November of 1983, and shown as Lot No. 2 on the Plan of record in Book 5200, page 698, Register's office for Davidson County, Tennessee.

BEGINNING at a point in the center of a private driveway easement, 20 feet wide, separating this property and the property of David L. Rollins, which point is 494.33 feet along said easement and east of the easterly margin of Hillsboro Pike and proceeding away from said easement along the Lawrence M. Lipman easterly most boundary N 88 deg. 04' 11" E, 169.92 feet; thence N 25 deg. 51' 02" E, 430 feet; thence along Hugh Stallworth's southerly line S 64 deg. 55' 58" E, 497.70 feet; thence N 27 deg. 24' 23" E, 97.27 feet; thence S 71 deg. 22' 40" E, 87.68 feet; thence along the J. W. Roland property line S 28 deg. 16' 26" W, 337.43 feet, thence S 82 deg. 58' 14" W, 244.83 feet; thence N 87 deg. 00' 58" W, 398.74 feet; thence N 77 deg. 23' 32" W, 85.64 feet; thence along a 20 foot driveway easement N 47 deg. 16' 04" W, 70 feet to the beginning, containing 5.46 acres.

Included in the above described property but excluded from this conveyance is an old family burial ground approximately 26 feet wide and 90 feet long and lying in the northeasterly most corner of the above described property with easement of record in Book 1196, page 650, Register's Office for Davidson County, Tennessee.

TRACT II:

A certain tract or parcel of land being a portion of Map 144, parcel 80 in the Assessor's Office for Davidson County, Tennessee, and being more particularly described as follows, shown on the driveway location survey for Daniel Hightower by A & A Engineers, Inc. dated January 24, 1996:

Beginning at the northwestern most point of the property conveyed to Daniel R. Hightower in Book 8131, page 633, Register's Office for Davidson County, Tennessee and being the southwestern most point of the herein described tract of land and beginning at the center line of an access easement; thence being the common line between the Hightower property and the herein described tract N 88deg. 04' 11" E 169.92 feet to an iron pin; thence along the westerly property line of Hightower for 52.14 feet to a new iron pin set; thence along the southerly most line of the property conveyed to Lawrence K. Lipman of record in Book 6181, page 481, said Register's Office and being the northerly most line of the herein described tract N 81 deg. 10' 04" E 216.18 feet to the center of an access easement; thence along the center line of said access easement N 47 deg. 16' 04" W 28.67 feet to the point of beginning and containing .015 acres more or less.

Being the same property conveyed to Franklin National Bank, by Quitclaim Substitute Trustee's Deed from John T. Flaugher, Trustee, of record as Instrument No. 20011116-0125828, Register's Office for Davidson County, Tennessee.