Realty 42 A

DV

THIS INSTRUMENT PREPARED BY:
BEADLES, NEWMAN AND LAWLER
3500 HULEN
FORT WORTH, TX 76107

Davidson County DEEDWARR
Recvd: 10/25/02 10:48 3pgs
Fees:18.00 Taxes:869.50
20021025-0130878

WARRANTY DEED

THIS INDENTURE, made this 18th day of October, 2002 between **MICHAEL A. SMALE AND ROSEMARIE ERTL-SMALE, HUSBAND AND WIFE** of **DAVIDSON** County, Tennessee, First Parties, and

TERRY W. BOYKIN AND WIFE, LIZA I BOYKIN

of **DAVIDSON** County, Tennessee, Second Parties,

WITNESSETH: that said First Parties, for and in consideration of the sum of ONE DOLLAR ($1.00) and other good and valuable consideration to us in hand paid by Second Parties, the receipt of which is hereby acknowledged,

have granted, bargained, sold and conveyed, and do hereby grant, bargain, sell and convey unto the said Second Parties the following described premises, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING THE SAME PROPERTY CONVEYED TO MICHAEL A. SMALE, MARRIED, BY DEED FROM BEAZER HOMES CORP., D/B/A PHILLIPS BUIILDERS, OF RECORD AT INSTRUMENT NUMBER 11234, PAGE 535 IN REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

This conveyance is expressly made subject to any and all restrictions, reservations and conditions contained in former deeds and binding on said property.

with the hereditaments and appurtenances thereto appertaining, hereby releasing all claims to homestead and dower therein. TO HAVE AND TO HOLD THE said premises to the said Second Parties, their heirs and assigns forever.

And said First Parties, for themselves and for their heirs, executors and administrators do hereby covenant with said Parties, their heirs, and assigns, that they are lawfully seized in fee simple of the premises above conveyed and have full power, authority and right to convey the same, and that said premises are free from all encumbrances except

2002 PROPERTY TAXES WHICH ARE A LIEN, NOT YET DUE AND PAYABLE WHICH ARE PRORATED BETWEEN THE PARTIES HEREIN

and that they will forever warrant and defend the said premises and the title thereto against the lawful claims of all person whomsoever.

Whenever in this instrument a pronoun is used it shall be construed to represent either singular or plural, as the case may demand.

IN WITNESS WHEREOF, the said First Parties hereunder set their hands and seals the day and year first above written.

Michael A Smale
MICHAEL A. SMALE

Rosemarie Ertl-Smale
ROSEMARIE ERTL-SMALE

STATE OF SC
COUNTY OF Greenville

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, **MICHAEL A. SMALE**, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 21st day of Sept., 2002.

susan whitmire
Notary Public
Printed name: susan whitmire

My commission expires: 4-20-2005
(NOTARY SEAL)

STATE OF SC
COUNTY OF Greenville

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, **ROSEMARIE ERTL-SMALE**, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 21st day of Sept., 2002.

susan whitmire
Notary Public
Printed name: susan whitmire

My commission expires: 4-20-2005
(NOTARY SEAL)

(FOR RECORDING DATA ONLY)

PROPERTY OWNER:
Terry W. Boykin
1116 Hunters Bow Circle
Nashville, TN 37211

RESPONSIBLE TAXPAYER:
Countrywide Home Loans
718 Thompson Lane, Ste. 104
Nashville, TN 37204

CLT# 172-14-0-A-029.00CO

STATE OF TENNESSEE, **DAVIDSON** COUNTY

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater is $ 235,000.00.

(AFFIANT)

Subscribed and sworn to before me, this 18th day of October, 2002

Catherine R. Vass
Notary Public
Printed Name Catherine R. Vass

My commission expires 5-30-04

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 124, on the Plan of Wexford Downs, Section One, a Planned Unit Development, of record in Plat Book 9700, Pages 308 & 309, Register's Office for said County, to which Plan reference is hereby made for a more complete description.

Being the same property conveyed to Michael A. Smale, married, by deed from Beazer Homes Corp., d/b/a Phillips Builders, of record in Book 11234, Page 532, Register's Office for Davidson County, Tennessee.

SIGNED FOR IDENTIFICATION:

Michael A Smale
MICHAEL A. SMALE

Rosemarie Ertl-Smale
ROSEMARIE ERTL-SMALE