PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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104 Woodmont Blvd.
Nashville, TN 37205
Ph. (615) 298-3312 - Fax. 292-8746
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BOX 10-A

RETURN TO :
PREMIER TITLE & ESCROW, LLC
4301 HILLSBORO ROAD, STE 300
NASHVILLE, TENNESSEE 37215

W & I Ref: GJ Title No: 44085

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
John B. Fergus Claudette L. Fergus 321 Lauderdale Road Nashville, Tennessee 37205	Fifth Third Mortgage Company 250 W. Main Street Lexington, Kentucky 40507

TAX MAP-PARCEL NUMBERS: 117-2-114

Davidson County DEEDWARR
Recvd: 12/17/02 08:33 3pgs
Fees:18.00 Taxes:1278.35
20021217-0155030

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$345,500.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Hunter B. Whitesell and spouse, Eugenia B. Whitesell**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **John B. Fergus and spouse, Claudette L. Fergus** 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. 8 of Block 4 on the Map of the Stokes Tract, as of record in Book 974, page 24, Register's Office for said County.

Said Lot No. 8 fronts 105 feet on the westerly side of Midland Avenue, now Wortham Avenue, and runs back between lines, 177 feet on the northerly line and 187 feet on the southerly line to a dead line on which it measures 76 feet.

Being the same property conveyed to John Bell Whitesell and his parents Hunter B. Whitesell and Eugenia B. Whitesell, husband and wife, by deed of record in Book 7846, page 59, Register's Office for Davidson County, Tennessee. John Bell Whitesell and wife, Gina F. Whitesell have since conveyed all of their interest in subject property to Hunter B. Whitesell and Eugenia B. Whitesell by Quitclaim Deed of record in Doc. No. 200001070002764, Register's Office for Davidson County, Tennessee. The said Hunter B. Whitesell and Eugenia B. Whitesell, husband and wife, of Obion County, Tennessee subsequently conveyed all of their interest in subject property to Hunter B. Whitesell and Eugenia B. Whitesell of 1403 Weststate Line Road, South Fulton, TN 38257 by Quitclaim Deed of record in Doc. NO. 200001070002765, 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 2003, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 974 Page 24, said Register's Office.

This instrument is executed on behalf of Hunter B. Whitesell by Eugenia B. Whitesell 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: 2717 Wortham Avenue, 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 16th day of December, 2002 .

Hunter B. Whitesell, by
Eugenia B. Whitesell, atty in fact
Hunter B. Whitesell By:Eugenia B. Whitesell, Atty-in-Fact

Eugenia B. Whitesell
Eugenia B. Whitesell

State of TENNESSEE
County of DAVIDSON

On this 16th day of December, 2002 , before me the undersigned authority, personally appeared **Eugenia B. Whitesell** , 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 WILLIAMS ILEY 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: $345,500.00

Affiant

Sworn and subscribed before me this 16th day of December, 2002

My Commission Expires: _____

KATHY SNIDER NOTARY Exp. 5/28/06 PUBLIC AT LARGE DAVIDSON COUNTY, 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 , **Eugenia B. Whitesell** 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 **Hunter B. Whitesell** , 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 16th day of December, 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: Hunter B. Whitesell and spouse, Eugenia B. Whitesell

TO: John B. Fergus and spouse, Claudette L. Fergus

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.

Eugenia B. Whitesell

Eugenia B. Whitesell, Affiant

Sworn to and subscribed before me this

16th day of December, 2002

Notary Public

My Commission Expires:

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

My Commission Expires 7/26/2003