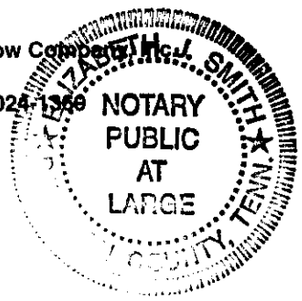
Realty 42A

Prepared by:
Realty Title & Escrow Company, Inc.
P. O. Box 1369
Brentwood, TN 37024-1369




My Commission Expires
November 29, 2003

Davidson County DEEDWARR
Recvd: 12/31/02 09:05 3pgs
Fees:18.00 Taxes:1184.00



20021231-0162370

STATE OF TENNESSEE
COUNTY OF WILLIAMSON
The actual consideration or value, whichever is greater, for this transfer is $320,000.00

Christy Rigsby
Affiant

Subscribed and sworn to before me, this 20th day of December, 2002.

Notary Public
My commission expires: ~~05/30/04~~

| Address of New Owner: | Send Tax Bills to: | Tax Information |
|---|---|---|
| Kurt L. Wallach, Trustee | Franklin Financial Mortgage, Inc | 171-08-0-A-120.00CO |
| 5509 Cottonport Drive | 206 East Main Street | |
| Brentwood, TN 37027 | Franklin, TN 37064 | |

## WARRANTY DEED

For and in consideration of the sum of ten dollars & no/100 ($10.00), cash in hand paid by the hereinafter named Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Wanda F. Batson**, unmarried, hereinafter referred to as Grantors, have bargained and sold, and do hereby transfer and convey to **Kurt L. Wallach and Marilyn G. Wallach, Trustees of the Kurt L. Wallach Living Trust dated December 3, 1996, and Kurt L. Wallach and Marilyn G. Wallach, Trustees of the Marilyn G. Wallach Living Trust dated December 3, 1996,** hereinafter called the Grantees, their successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows: to- wit:

> Land in Davidson County, Tennessee, being Lot No. 120 on the Plan of Cottonport Plantation, Phase I, of record in Plat Book 6900, Page 530, Register's Office for said county, to which plan reference is hereby made for a more complete legal description.
>
> Being the same property conveyed to Wanda F. Batson by deed from Lee C. Williams of record in Book 11098, Page 961, Register's Office for Davidson County, Tennessee.
>
> This conveyance is subject to all easements, restrictive covenants and conditions, and other matters of record, including all items set out on any applicable plat of record.
>
> This property is improved property known as 5509 Cottonport Drive, Brentwood, TN 37027

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, successors and assigns, forever. Grantors covenant with Grantees that Grantors are lawfully seised and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out. Grantors do further covenant and bind ourselves, our heirs, successors, assigns and representatives, to warrant and forever defend the title to said land to 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 my hand this 20th day of December, 2002.

Wanda F. Batson
Wanda F. Batson

See attached Exhibit "A" affidavit for explanation of distribution of sale proceeds.

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Wanda F. Batson, with whom I am personally acquainted, and who acknowledged she executed the within instrument for the purposes therein contained

Witness my hand in Brentwood, TN, this ~~23rd~~ 24th day of December, 2002.

Notary Public

My Commission expires ~~05/30/04~~

ELIZABETH J. SMITH
NOTARY PUBLIC AT LARGE
WILLIAMSON COUNTY, TENN.
My Commission Expires November 29, 2003

EXHIBIT "A"

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The undersigned, Wanda F. Batson, being duly sworn, makes oath that the following statements are true to the best of her knowledge, information and belief:

That she was the owner of property located at 5509 Cottonport Drive, Brentwood, TN 37027, which she has sold to Karl L. Wallach and Marilyn G. Wallach, Trustees;

That, at the time of the sale, the property was encumbered by a deed of trust lien held by AmSouth Bank, in the original amount of $271,900.00, of record in Book 11098, page 964, Register's Office for Davidson County, TN, a deed of trust lien held by John B. Conner, Jr., in the original amount of $87,000.00, of record in Instrument No. 20020116-0006588, said Register's Office, and a judgment lien in the amount of $1,590.61, held by Overhead Door Company of Nashville, of record in Instrument No. 20020415-0046370, said Register's Office;

That the proceeds from the sale were distributed as follows:

(1) $21,069.86 for closing costs, commissions, property taxes and expenses of sale;
(2) $257,310.52 to the first lienholder, AmSouth Bank, in full satisfaction of its deed of trust;
(3) remaining $41,619.62 to the second lienholder, John B. Conner, Jr., in partial satisfaction of his deed of trust.

That there were insufficient funds to satisfy in full the lien held by John B. Conner, Jr. or the judgment held by Overhead Door Company of Nashville.

Elizabeth J. Smith, also being duly sworn, joins in this affidavit to state that, as closing attorney for Realty Title & Escrow Company, Inc., she conducted the closing and made the disbursements set out herein and further to attest to the accuracy of the statements made herein.

Wanda F. Batson

Wanda F. Batson

Elizabeth J. Smith

Subscribed and sworn to before me this 24th day of December, 2002.

Notary Public at Large

My commission expires 5-30-04