E.LO

77-1142

PREPARED BY:
Lender's Title & Escrow LLC
501 Corporate Centre Drive, Suite 460
Franklin, Tennessee 37067

Davidson County DEEDWARR
Recvd: 01/06/03 09:40 2pgs
Fees:13.00 Taxes:1054.50

20030106-0001711

WARRANTY DEED

THIS INDENTURE is made and entered into this **18th** day of **December, 2002** by and between **JAMES W. GAITHER, JR. and ELIZABETH S. GAITHER** , herein after referred to as GRANTOR, and **RICHARD D. MARTINEZ and KATHY MARTINEZ** , herein after referred to as GRANTEE.

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the GRANTOR does hereby bargain, sell, transfer and convey unto the GRANTEES, all of GRANTOR'S right, title and interest in the following described property lying in City of **OLD HICKORY,** County of **Davidson,** State of Tennessee, more particularly described as follows:

BEING Lot No. 113, on the plan of the Brandywine Farms, of record in Plat Book 4175, page 18, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being the same property conveyed to James W. Gaither, Jr. and wife, Mary A. Gaither by deed from Charles L. Lewis and wife, Lynette F. Lewis dated March 29, 1996 and recorded April 2, 1996 of record in Book 10000, page 374, Register's Office for Davidson County, Tennessee. Mary A. Gaither is deceased. Elizabeth S. Gaither executes this Deed as the wife of James W. Gaither, Jr.

This is improved/unimproved property known as: 213 BARLEY MILL ROAD, OLD HICKORY, TN 37138

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto GRANTEE, GRANTEE'S heirs, successors and assigns forever. The GRANTOR does covenant and agree with the said GRANTEE that GRANTOR is lawfully seized and possessed of the said real estate and that GRANTOR has a good and lawful right to sell the same. The GRANTOR further covenants that the same is unencumbered except as otherwise set forth herein, and that the title and quiet possession thereto GRANTOR will forever warrant and defend against the lawful claims of all persons whomsoever.

WITNESS MY HAND on the day and year first above written.

James W. Gaither

JAMES W. GAITHER, JR.
Signature of Seller

Elizabeth S. Gaither

ELIZABETH S. GAITHER
Signature of Seller

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF Williamson)

Personally appeared before me, a Notary Public of said County and State, **JAMES W. GAITHER, JR. and ELIZABETH S. GAITHER** , the within named bargainors, 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 **18th** day of **December, 2002.**

Notary Public

My Commission Expires: 11-26-05

HOLLY NEWMAN NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

Name and Address of Property Owner:
RICHARD D. MARTINEZ and KATHY MARTINEZ
213 BARLEY MILL ROAD, OLD HICKORY, TN 37138

Send Tax Statements to:
Aurora Loan Services
2530 S. Parker Rd. Suite 601, Aurora CO 37138

Map and parcel 064-02-0-017.00

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF Williamson

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$285,000.00** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this **18th** day of **December, 2002.**

Notary Public

My Commission Expires: 11-26-05

HOLLY NEWMAN NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

RETURN TO:

Lender's Title & Escrow LLC
501 Corporate Centre Drive, Suite 460
Franklin, Tennessee 37067
22-1142