Davidson County DEEDWARR
Recvd: 01/10/03 09:16 5pgs
Fees:28.00 Taxes:610.50
20030110-0004550

This Instrument Was Prepared By:
Robert M. Holland, Jr.
Miller & Martin LLP
1200 One Nashville Place
150 4th Avenue North
Nashville, TN 37219

Return to:

Rudy Title & Escrow, LLC
2012 21st Ave. South
Nashville, TN 37212

Address New Owner(s):
Robert Gregory Gardner
1011 8th Avenue North
Nashville, TN 37208

Send Tax Bills to
New Owner

Tax Information:
Map: 82-13-A
Parcel: 3

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, METROPOLITAN DEVELOPMENT AND HOUSING AGENCY, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to ROBERT GREGORY GARDNER, ("Grantee"), his heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" attached hereto and incorporated herein (the "Real Estate").

GRANTEE hereby assumes and agrees to observe and to perform his obligations as set forth in the Master Deed, including, but not limited to, the payment of assessments for the maintenance and operation of the condominium, subject to all reservations and restrictions of record.

TO HAVE AND TO HOLD said Real Estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, his successors, heirs and assigns, forever.

AND Grantor covenants that it is lawfully seized and possessed of said Real Estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "B" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said Real Estate to Grantee, his heirs and assigns against the lawful claims of all persons.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 31st day of December, 2002.

METROPOLITAN DEVELOPMENMT AND HOUSING AGENCY

By: _____

Title: Executive Director

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Phil Ryan, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained and who further acknowledged that he is the Executive Director of Metropolitan Development and Housing Agency and is authorized to execute this instrument on behalf of Metropolitan Development and Housing Agency.

Witness my hand, at office, this 31st day of December 2002.

Doris F. Davis
Notary Public

My Commission Expires: 9/24/05

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $165,000.00.

Lavon Mitchell
Affiant

Subscribed and sworn to before me,
this 31 day of December, 2002.

John Gleaves
Notary Public

JOHN GLEAVES NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 7/29/06

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EXHIBIT A

LEGAL DESCRIPTION

Land in Davidson County, Tennessee, being Unit No. A-6, Row 8.9 Condominiums, as shown on plat of the Resubdivision of Lot 1 of the Resubdivision of a portion of Lots No. 5 & 93 of Balch & Whiteside's Addition to Nashville of record in Instrument No. 20020718-0086526, Register's Office for Davidson County, Tennessee; described in the Master Deed and By-Laws of record as Instrument No. 20011121-0128062, amended in Instrument No. 20021212-0153656, Register's Office for Davidson County, Tennessee.

Being a portion of the same property to Tamay Ozari by deed from Clerk & Master of record in Book 8631, page 301, Register's Office for Davidson County, Tennessee; title is now vested in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Agreed Order- Docket No. 01C-1570; being a portion of the same property conveyed to Darryle Eugene Cannon and wife, Rosalyn D. Cannon, and Alice G. Cannon by deed from David D. Mulloy of record in Book 6692, page 484, Register's Office for Davidson County, Tennessee; title is now vested in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Agreed Order- Docket No. 01C-1569; being a portion of the same property conveyed to William Patton, Jr., by deed from Clarice Cain of record in Book 11115, page 98, Register's Office for Davidson County, Tennessee; William Patton, Jr., having since conveyed to Metropolitan Development and Housing Agency by deed of record as Instrument No. 200106010057348, Register's Office for Davidson County, Tennessee; being a portion of the property conveyed to Glenn Ferguson by deed from C. Kinian Cosner, Jr., Trustee of record in Book 8065, page 110, Register's Office for Davidson County, Tennessee; title is now vested in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Agreed Order- Docket No. 01C-1567; being a portion of the same property conveyed to Rebecca Conn by installment deed from Anna Mary Bransford and husband, Johnson Bransford, of record in Book 1212, page 80, said Register's Office, the said Rebecca Conn having since died leaving Shirley Gransville Conn, Betty Jean White, Moses Fisher, Calandra Danielle Long and Ehren Little as her heirs at law. Shirley Gransville Conn conveyed his interest to Berry Jean White by deed of record in Book 6155, page 826, said Register's Office; the said Moses Fisher having conveyed his interest in the property to Betty Jean White by deed of record in Book 6197, page 188, said Register's Office and Betty Jean White having conveyed her interest in the property to Erica W. White by deed of record in Book 10124, page 590, said Register's Office; the property then vested in Moses Fisher, Erica White, Calandra Danielle Long and Ehren Little; title has since vested in Metropolitan Development and Housing Agency by deed from Moses Fisher, Erica W. White, Calandra Long Green and Ehren Little as Instrument No. 200107130074813, Register's Office for said County; being a portion of the same property conveyed to Roy Lumpkin and wife, Tommie H. Lumpkin by deed from Sam Garfinkle and wife, Eva R. Garfinkle of record in Book 1678, page 558, Register's Office for said County, the said Roy Lumpkin and wife, Tommie H. Lumpkin are deceased with Roy Lumpkin predeceasing his wife, Tommie Lumpkin. The heirs at

law of Tommie Lumpkin were Kenneth Lumpkin, Shannon Lumpkin, Will Cox and Juanita Chapple with Will Cox being the only living child of Roy and Tommie Lumpkin. James Rhodes is the only living child of Juanita Chapple. Alfred Lumpkin, Jr. and Susie Lumpkin are the only living children of Alfred Lumpkin, who predeceased his parents, Roy Lumpkin and Tommie Lumpkin. Will Cox, James Rhodes, Alfred Lumpkin, Jr. and Susie Lumpkin conveyed to Metropolitan Development and Housing Agency by deed of record as Instrument No. 200106250066924, Register's Office for said County; being a portion of the same property conveyed to James K. Eaton and wife, Toni C. Eaton by deed from Grady L. Hall and wife, Mary Jo Hall, of record in Book 5991, page 322, Register's Office for said County; title now vests in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Proposed Amended Order of Possession - Docket No. 01C-1109; being a portion of the same property conveyed to James K. Eaton and wife, Toni C. Eaton by deed from Grady L. Hall and wife, Mary Jo Hall, of record in Book 5991, page 322, Register's Office for said County; title now vests in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Proposed Amended Order of Possession - Docket No. 01C-1109; being a portion of the same property conveyed to James K. Eaton and wife, Toni C. Eaton by deed from Grady L. Hall and wife, Mary Jo Hall, of record in Book 5991, page 322, Register's Office for said County; title now vests in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Proposed Amended Order of Possession - Docket No. 01C-1109; being a portion of the same property conveyed to Deliann T. Austin Revocable Living Trust by deed from Deliann T. Austin of record in Book 10131, page 689, Register's Office for said County; title is now vested in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Agreed Order- Docket No. 01C-1571; being a portion of the same property conveyed to Glenn Ferguson by deed from C. Kinian Cosner, Jr., Trustee, of record in Book 8065, page 110, Register's Office for said County; title now vests in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Proposed Amended Order of Possession - Docket No. 01C-1567; being a portion of the same property conveyed to Glenn Ferguson by deed from C. Kinian Cosner, Jr., Trustee, of record in Book 8065, page 110, Register's Office for said County; title now vests in Metropolitan Development and Housing Agency by deed from Circuit Court of Davidson County, Tennessee, in the Twentieth Judicial District – Proposed Amended Order of Possession - Docket No. 01C-1567.

This is improved property known as 1011 8th Avenue North, Nashville, Tennessee.

EXHIBIT B

PERMITTED EXCEPTIONS

1. The premises herein insured are condominium apartments established pursuant to the provisions of the Tennessee "Horizontal Property Act" as the same is set out in Section 66-27-01, et seq., of the Tennessee Code Annotated, as amended, and is subject to the provisions and requirements thereof; and is subject to the By-Laws for the Row 8.9 Condominiums of record in Instrument No. 20011121-0128062, and amended in Instrument No. 20021212-0153656, Register's Office for Davidson County, Tennessee; also subject to easements, rights and interest in favor of other unit owners and all sewer, water, electrical, telephone and other utility easement now or hereafter established over, through or upon the land embracing the regime and building thereon; and also including without limitations all conditions, covenants, restrictions, options, burdens, assessments and other undertakings contained in Master Deed establishing a Horizontal Property Regime of Condominiums of record in Instrument No. 20011121-0128062, and amended in Instrument No. 20021212-0153656, Register's Office for Davidson County, Tennessee.

2. All matters as shown on the Plat of record as Instrument No. 20020718-0086526, Register's Office for Davidson County, Tennessee

3. Phillips-Jackson Street Redevelopment Plan as recorded in Book 9183, page 130, as amended in Book 11625, page 280 and as Instrument No. 200204250051069, Register's Office for Davidson County, Tennessee.

4. Pending litigation in the matters of Metropolitan Development and Housing Agency v. Eaton, et al., No. 01C-1109, and v. Ferguson, et al., 01C-1567, Circuit Court for Davidson County, Tennessee.

5. Subject to Charter in Instrument No. 20011130-0131873, Register's Office for Davidson County, Tennessee.

6. Subject to conveyance to State of Tennessee in Book 6120, page 475, Register's Office for Davidson County, Tennessee.