PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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Davidson County DEEDWARR
Recvd: 01/29/03 14:30 3pgs
Fees:18.00 Taxes:370.00
20030129-0012395

W & I Ref: ST Title No: 44174

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
R. F. Klueter Irene Klueter 402 Linda Lane Madison, Tennessee 37115	SAME

TAX MAP-PARCEL NUMBERS: 042-16-015

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$100,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Harvie V Abernathy and wife, Eula P. Abernathy**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **R. F. Klueter and spouse, Irene Klueter** 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. 34 on the Plan of Blair Heights Section Six of record in book 2331, Page 98 Register's Office for said County.

Said Lot No. 34 fronts 160.23 feet on the northerly margin of Linda Lane and extends back 212.71 feet on the westerly line and 220.00 feet on the easterly line to a dead line in the rear, measuring 131.18 feet thereon.

Being the same property conveyed to Harvie V. Abernathy, and wife, Eula P. Abernathy by deed from E. C. Chance & Son Realty Co., Inc. of record in Book 2923, Page 315, 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 2331 Page 98, said Register's Office, which Plan shows a 70 foot minimum building setback line from Linda Lane and a 10 foot easement for public utility purposes along the rear & easterly side line(s).

This instrument is executed on behalf of Harvie V Abernathy and wife, Eula P. Abernathy by Dorothy A. Taylor 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: 402 Linda Lane, Madison, Tennessee 37115

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 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 28th day of January, 2003 .

Harvie V Abernathy
Harvie V Abernathy By:Dorothy A. Taylor, Atty-in-Fact

Eula P Abernathy
Eula P. Abernathy By:Dorothy A. Taylor, Atty-in-Fact

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 **Dorothy A. Taylor**, 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 **Harvie V. Abernathy and wife, Eula P. Abernathy, 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 28th day of January, 2003.

Notary Public

My Commission Expires:_____

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2004

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: $100,000.00

R.F. Klueter
Affiant

Sworn and subscribed before me this 28th day of January, 2003

My Commission Expires: _____

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2004

Notary Public

EXHIBIT "A"

To
Warranty Deed

FROM: Harvie V Abernathy and wife, Eula P. Abernathy

TO: R. F. Klueter and spouse, Irene Klueter

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.

Dorothy A. Taylor

Dorothy A. Taylor, Affiant

Sworn to and subscribed before me this
28th day of January, 2003.

Notary Public

My Commission Expires:_____

PERCY WILKINS, JR.
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2004