PREPARED BY (AND RETURN TO):

RE-RECORD

**WILKINS & IVEY**
Attorneys At Law
Woodmont Centre, Suite 100
104 Woodmont Boulevard
Nashville, Tennessee 37205
Ph. (615) 298-3312 - Fax. 292-8746
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W & I Ref: (sk) Title No: 42424
Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 05/05/03 13:02 3pgs
Fees:17.00 Taxes:0.00
20030505-0059490

Davidson County DEEDWARR
Recvd: 06/13/01 14:16 3pgs
Fees:15.00 Taxes:1516.63
[redacted]
20010613-0062364

| ADDRESS NEW OWNER: | RESPONSIBLE FOR TAX PAYMENT: |
|---|---|
| Richard S. Battaglia<br>Dana Battaglia<br>202 Lauderdale Road<br>Nashville, TN 37205 | AmSouth Bank<br>2050 Parkway Office Circle<br>Birmingham, AL 35244 |

**TAX MAP-PARCEL NUMBERS: 103-12-140 and 103-12-140.01**

# *WARRANTY DEED*

**FOR AND IN CONSIDERATION** of the sum of **$ 409,900.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Carmen S. Coniglio, unmarried,** hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Richard S. Battaglia and spouse, Dana Battaglia,** 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, described as follows:

**Tract I:**

BEING Lot No. 37 and part of Lot No. 38 of Block "C" on the Map of Cherokee Park Section 2, of record in Book 547, pages 175 and 176, Register's Office for said County, and described according to a copy of a survey thereof made by James L. Murphy, Jr., Surveyor, dated January 27, 1960, as follows:

BEGINNING at a point in the northeasterly margin of Lauderdale Road, at the corner of Lots No. 36 and 37; thence with the line between said lots, northeasterly 190.36 feet to a point; thence southeasterly 109 feet to a point; thence southwesterly 192.08 feet to the northeasterly margin of Lauderdale Road; thence with the margin of the same, northwesterly 115 feet to the point of beginning.

BEING part of the same property conveyed to John G. Coniglio and wife, Carmen S. Coniglio by deed from Jerome Kestenbaum and wife, Edith Roalyn Kestenbaum of record in Book 3576, page 387, said Register's Office for said County and the same property conveyed to Carmen S. Coniglio by deed from Albert R. Lawson and spouse, Ellen C. Lawson by deed of even date and being filed for record in instrument no. 20010613-0062363, Register's Office for Davidson County, Tennessee. John G. Coniglio has since died leaving Carmen S. Coniglio as surviving Tenant by the entirety.

**Tract II:**

LAND in Davidson County, Tennessee, being the southerly 15 feet of Lot 38, Block C, on the plan of Cherokee Park, Section 2, as of record in Book 547, page 175 and 176, Register's Office for said County.

BEGINNING at a spike, the common corner of Lots 38 and 39, said subdivision, said point being the northeasterly margin of Lauderdale Road, 70.0 feet northwestwardly from the northwesterly margin of Valley Road; Thence northeastwardly with the line between said two lots 192.08 feet, more or less, to an iron pin, the common easterly corner of said Lots; Thence norhtwestwardly 15.0 feet, more or less, to an iron pin; thence southwestwardly and parallel with the common line between said Lots 38 and 39, 192.08 feet more or less, to an iron pin in the

easterly margin of Lauderdale Road; thence with the same southwardly 15.0 feet to the beginning, being the same property conveyed to the K.K.A.I. Congregation (West End Synagogue) by deed from James P. Sadler of record in Book 2999, page 539, said Register's Office. * Please See attached for additional legal

Being the same property vested in John G. Coniglio and wife, Carmen S. Coniglio by Concent order of the Chancery Court for Davidson County, of record in Book 6506, page 887, Register's Office for said County.

**Description Reference:** Described from source materials examined by the attorney preparing this conveyance.

This conveyance is subject to: Taxes for 2001, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 547, Page 175 and 176, said Register's Office, which Plan shows.

**This is improved property, known as:** 202 Lauderdale Road, Nashville, TN 37205

**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 11th day of June, 2001.

Carmen S. Coniglio

**Carmen S. Coniglio**

**State of Tennessee**
**County of Davidson**

On this 11th day of June, 2001, before me the undersigned authority, personally appeared **Carmen S. Coniglio**, 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: _____ Notary Public

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: $ 409,900.00

Affiant

Sworn and subscribed before me on the 14th day of June, 2004.

Notary Public

My Commission Expires:

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2004

Included in the above description but excluded there from is the tract of land described as follows:

Land in Davidson County, Tennessee, being part of Lot No. 37 of Block "C" on the Map of Cherokee Park, Section 2, of record in Book 547, Pages 176 and 176, Register's Office for Davidson County, Tennessee, and described according to a survey by Jerry Morrow, Registered Surveyor, dated October 23, 1984, as follows:

Beginning at a point in the northeasterly margin of Lauderdale Road, said point begin at the common front corner of Lot No. 36 and 37 of Block "C", on the Map of Cherokee Park, Section 2, of record in Book 547, Pages 175 and 176, Register's Office for Davidson County, Tennessee; thence leaving the said northeasterly margin of said Lauderdale Road, North 53 degrees 47 minutes 47 seconds East, 190.43 feet to a point; thence, South 36 degrees 51 minutes 00 seconds East, 4.00 feet to a point, thence, South 53 degrees 04 minutes 38 seconds West, 100.41 feet to a point; thence, South 57 degrees 08 minutes 11 seconds West, 90.23 feet to the point of beginning, containing 0.016 acres, more or less.

This instrument is being re-recorded to add the following to the legal description of Tract II:

Included in the above description but excluded there from is the tract of land described as follows:

Land in Davidson County, Tennessee, being part of Lot No. 37 of Block "C" on the Map of Cherokee Park, Section 2, of record in Book 547, Pages 176 and 176, Register's Office for Davidson County, Tennessee, and described according to a survey by Jerry Morrow, Registered Surveyor, dated October 23, 1984, as follows:

Beginning at a point in the northeasterly margin of Lauderdale Road, said point begin at the common front corner of Lot No. 36 and 37 of Block "C", on the Map of Cherokee Park, Section 2, of record in Book 547, Pages 175 and 176, Register's Office for Davidson County, Tennessee; thence leaving the said northeasterly margin of said Lauderdale Road, North 53 degrees 47 minutes 47 seconds East, 190.43 feet to a point; thence, South 36 degrees 51 minutes 00 seconds East, 4.00 feet to a point, thence, South 53 degrees 04 minutes 38 seconds West, 100.41 feet to a point; thence, South 57 degrees 08 minutes 11 seconds West, 90.23 feet to the point of beginning, containing 0.016 acres, more or less.