THIS INSTRUMENT PREPARED BY:

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Davidson County DEEDWARR
Recvd: 05/20/03 08:38 3pgs
Fees:18.00 Taxes:432.90
20030520-0068357

# Warranty Deed

| ADDRESS NEW OWNERS: | PERSON OR ENTITY RESPONSIBLE FOR PAYMENT OF REAL PROPERTY TAXES: | MAP-PARCEL NOS. |
|---|---|---|
| James K. Spence, et ux<br>3908 Banbury Drive<br>Nashville, TN 37207 | Same | Map 41-10<br>Parcel 34<br>Field Book 12D 38805 |

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which are hereby acknowledged, JOHN FITZGERALD, Executor of the Estate of Carolyn Jackson, a/k/a Carolyn Lovett Jackson, joined by DANA JACKSON PUGH, LUANN KEY, and GREGORY JACKSON, all of the heirs-at-law, and all of the beneficiaries under the Will of Carolyn Jackson, a/k/a Carolyn Lovett Jackson, deceased, hereinafter referred to as the "GRANTORS", have bargained and sold and by these presents do transfer and convey unto JAMES K. SPENCE and wife, RACHEL B. SPENCE, hereinafter referred to as the "GRANTEES", their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

A certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Being Lot No. 422 on the Plan of Bellshire Estates, Section "B", as of record in Book 2331, pages 128 and 129, said Register's Office.

Said Lot No. 422 fronts 130 feet on the westerly side of Banbury Drive, and extends back 188.3 feet on the northerly line and 184.7 feet on the southerly line, to a dead line in the rear on which it measures 131 feet.

Being the same property conveyed to Roy Jackson, Jr. and wife, Carolyn Lovett Jackson, by deed from Paul D. Maxey and wife, Carol Jean Maxey, filed for record in Book 3929, page 467, Register's Office for Davidson County, Tennessee. Roy Jackson, Jr. died on March 17, 1980, at which time ownership and title to the said property became vested in Carolyn Lovett Jackson as surviving tenant by the entirety. Carolyn Lovett Jackson, a/k/a Carolyn Jackson, died testate on December 4, 2002 at the age of 67 years, leaving a Last Will and Testament dated July 30, 1982, which was filed for probate in the Probate Court for Davidson County, Tennessee in the matter of the *Estate of Carolyn Jackson, deceased, Docket # 02P-2098*, and John Fitzgerald was appointed Executor of the said estate. The Will devises all of the decedent's estate to her children, Dana Jackson Pugh, LuAnn Key and Gregory Jackson, all of whom are more than 18 years of age, and sui juris. By their signatures hereto, the Executor and beneficiaries represent and warrant that the Estate of Carolyn Jackson remains open, and that there are now, or will be, upon the closing of this sale sufficient funds for the payment of all debts, taxes, and costs of administration.

The current mailing address for said property is 3908 Banbury Drive, Nashville, TN 37207.

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 and assigns, forever.

And we, the GRANTORS, do covenant with the said GRANTEES, that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and warrant that the same is unencumbered, except as follows:

1. State and County Real Property Taxes for the year 2003, which are a lien, but not yet due and payable, which have been prorated between the parties and will be paid, in full, by the GRANTEES, when due.

2. All matters shown on the Plan of Bellshire Estates, Section "B", as of record in Book 2331, pages 128 and 129, Register's Office for Davidson County, Tennessee.

3. Subject to Restrictive Covenants for Bellshire Estates of record in Book 2542, page 415, Register's Office for Davidson County, Tennessee, as shown reinstated by an instrument of record in Book 6399, page 1, Register's Office for Davidson County, Tennessee, if applicable.

And, we, the GRANTORS, do further covenant and bind ourselves, our heirs and representatives to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS our hands on the day and date last acknowledged below.

"GRANTORS"

ESTATE OF CAROLYN JACKSON, a/k/a
CAROLYN LOVETT JACKSON, deceased

John Fitzgerald/Executor
By: JOHN FITZGERALD, Executor

Dana Jackson Pugh
DANA JACKSON PUGH, Heir/Beneficiary

Lu Ann Key
LUANN KEY, Heir/Beneficiary

Gregory Jackson
GREGORY JACKSON, Heir/Beneficiary

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, JOHN FITZGERALD, Executor of the Estate of Carolyn Jackson, a/k/a Carolyn Lovett Jackson, deceased, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this the 12th day of May, 2003.

Diana C. Frey
NOTARY PUBLIC

DIANA C. FREY
NOTARY PUBLIC AT LARGE
ROBERTSON COUNTY, TN

My Comm. Expires July 23, 2005

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, DANA JACKSON PUGH, LUANN KEY, and GREGORY JACKSON, 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 the 12th day of May, 2003.

NOTARY PUBLIC

DANA C. FREY NOTARY PUBLIC AT LARGE ROBERTSON COUNTY, TN

My Comm. Expires July 23, 2006

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration or value, whichever is greater, for this transfer is $117,000.00.

Affiant

Sworn to and subscribed before me, this the 12th day of May, 2003.

NOTARY PUBLIC

DANA C. FREY NOTARY PUBLIC AT LARGE ROBERTSON COUNTY, TN

My Comm. Expires July 23, 2006