PREPARED BY (AND RETURN TO):

**WILKINS & IVEY**
Attorneys At Law

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W & I Ref: SB Title No: 44985

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 08/21/03 13:50 3pgs
Fees:18.00 Taxes:939.80
20030821-0121567

| **ADDRESS NEW OWNER:** | **RESPONSIBLE FOR TAX PAYMENT:** |
|---|---|
| Lois E. Simms<br>4400 Belmont Park Terrace, Unit 253<br>Nashville, Tennessee 37215 | SunTrust Mortgage, Inc.<br>201 Fourth Ave. N/7th Floor<br>Nashville, Tennessee 37219 |

**TAX MAP-PARCEL NUMBERS:** 131-7-B-253

# *WARRANTY DEED*

**FOR AND IN CONSIDERATION** of the sum of **$254,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Aaron C. Murphy and spouse, Elizabeth G. Murphy,** hereinafter called the **Grantor,** has bargained and sold, and by these presents does hereby transfer and convey unto **Lois E. Simms** 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. 253 on the Plan of Arden Place, Section Ten of record in Plat Book 5210, page 218, Register's Office for said County to which plan reference is hereby made for a more complete description thereof.

Being the same property conveyed to Aaron C. Murphy and Elizabeth G. Murphy husband and wife, by deed from Milbrey W. Andrews, unmarried of record in Document No. 200007170070105, 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 Book 5210, page 218, said Register's Office; Subject to the Declaration of Covenants, Conditions and Restrictions of record in Book 4628, page 473, Book 4754, page 455; Book 4819, page 564, Book 4916, page 277, Book 5091, page 66, Book 5129, page 120 Book 5163, page 384, Book 5231, page 375, Book 5351, page 592, Book 5514, page 636, Book 5019, page 942, said Register's Office, which sets forth assessments, liens and other matters, to which Declaration reference is hereby made for more particulars.

This instrument is executed on behalf of Elizabeth G. Murphy by Aaron C. Murphy 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: 4400 Belmont Park Terrace Unit 253, Nashville, Tennessee 37215**

**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 12th day of August, 2003 .

**Aaron C. Murphy**

**Elizabeth G. Murphy By: Aaron C. Murphy, Atty-in-Fact**

**State of** TENNESSEE
**County of** DAVIDSON

On this 12th day of August, 2003 , before me the undersigned authority, personally appeared **Aaron C. Murphy** , 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: _____

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

My Commission Expires MAY 30, 2004

Notary

**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: $254,000.00

Affiant

Sworn and subscribed before me this 12th day of August, 2003

My Commission Expires: _____

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

Commission Expires MAY 30, 2004

Notary Public

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 , **Aaron C. Murphy** 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 **Elizabeth G. Murphy** , 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 12th day of August, 2003

Notary Public

My Commission Expires:_____

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires MAY 30, 2004

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## EXHIBIT "A"

**To**
**Warranty Deed**

**FROM: Aaron C. Murphy and spouse, Elizabeth G. Murphy**

**TO: Lois E. Simms**

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.

**Aaron C. Murphy, Affiant**

Sworn to and subscribed before me this
12th day of August, 2003

Notary Public

My Commission Expires:_____

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires MAY 30, 2004