THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **File Box 9B:** **First Title & Escrow Co., Inc.** **FTEC File No. 21623-08-2003** **Return to:** **All-Star Title, Inc.** ~~120 Donelson Pike, Ste 201~~ **Nashville, TN 37214** ~~Ph: (615) 883-5882 Fax: (615) 883-7543~~	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $230,000.00. Affiant Subscribed and sworn to before me, this 29th day of August, 2003. Notary Public My Commission Expires: 1/28/06

NOTARY PUBLIC AT LARGE

WARRANTY DEED

Address New Owner:	Send Tax Bills To:	Tax Information:
Colleen O'Dowd Marshall Herndon 5700 Templegate Drive Nashville, TN 37221	←Same ←Same ←Same	Map No.156.09 Parcel No. 024.00

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, **Barry L. Theobald and wife, Mary T. Theobald**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Colleen O'Dowd and Marshall Herndon, joint tenants with right of survivorship** ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is Improved property located at 5700 Templegate Drive, Nashville, TN, 37221

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its 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 "A" 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, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

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 August 29, 2003.

Barry L. Theobald

Mary T. Theobald

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Barry L. Theobald and Mary T. Theobald**, 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 29th day of August, 2003.

Notary Public

My Commission Expires: 11/29/03

GERALD G. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 29, 2003

Davidson County DEEDWARR
Recvd: 09/11/03 14:00 2pgs
Fees:13.00 Taxes:851.00

20030911-0133490

EXHIBIT "A"

Land in Davidson County, Tennesee, being Lot No. 1 on the Plan of Section Two Revised Templegate as of record in Plat Book 6900, page 102, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Barry L. Theobald and wife, Mary T. Theobald by deed dated May 5, 1994 from Donald G. White, Jr. and wife, Eilene Quin White of record in Book 9339, page 55, Register's Office for Davidson County, Tennessee.

Included in the above description but expressly excluded therefrom is the property conveyed to the State of Tennessee by Deed of record in Instrument No. 20030415-0050021.

This conveyance is made subject to:

1) 2003 City/County Taxes, which have been prorated and assumed by the Grantee(s);
2) Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property;
3) Restrictive covenants contained in an instrument of record in Book 6766, page 754, Register's Office for Davidson County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions or restriction (a) is exempt under Title 42 of the United States Code; or (b) relates to handicap, but does not discriminate against handicapped persons).
4) All matters appearing on the Plan of record in Plat Book 6900, page 102, Register's Office for Davidson County, Tennessee.
5) Easement to State of Tennessee of record in Instrument No. 20030415-0050021, Register's Office for Davidson County, Tennessee.
6) Easement to Harpeth Valley Utility District for Williamson and Davidson Counties, Tennessee, of record in Book Instrument No. 20030306-0030056, Register's Office for Davidson County, Tennessee.