WARRANTY DEED

Box 28-B

The actual consideration or value for this transfer is $ 87,500

John Robert Mertz
AFFIANT

STATE OF TENNESSEE
COUNTY OF Davidson

SWORN TO AND SUBSCRIBED before me this 12 day of SEPTEMBER, 2003.

NOTARY PUBLIC
My Commission Expires: 3-27-04

Davidson County DEEDWARR
Recvd: 09/16/03 15:40 2pgs
Fees:13.00 Taxes:323.75
20030916-0136183

This space for Register of Deeds

This instrument was prepared by: Johnny Ellis, Attorney, 306 Gay Street, Suite 200 Nashville, TN 37201, file#0309000

ADDRESS NEW OWNER(S)	SEND TAX BILLS TO:	MAP / PARCEL NO.
John Robert Mertz, 1100 Berry Street Old Hickory, Tennessee 37209	Franklin American Mortgage Co. 501 Corporate Centre Dr. Ste. 400 Franklin, TN 37067	44-15 / 245.00

FOR AND IN CONSIDERATION of the sum of TEN and No/100 ($10.00) Dollars, cash in hand paid by John Robert Mertz and other good and valuable consideration, the receipt of which is hereby acknowledged,

We, **Gary Delon Bilbrey**, **James Edward Bilbrey**, and **George Michael Bilbrey**, as the sole heirs at law, and beneficiaries under the Last Will of, **Stella Marie Worley Bilbrey** the GRANTORS herein, have bargained and sold, and by these presents do transfer and convey unto:

John Robert Mertz, a married man, the GRANTEE herein, his heirs and assigns in fee simple absolute, a certain tract or parcel of land located in **Davidson** County, State of Tennessee, described as follows:

Land in the Fourth Civil District, (11th Councilmanic District) of Davidson County, Tennessee described as follows:

Being Lot No. 134, Section C, Village of Old Hickory, as shown on plan recorded July 16th 1948, Book 1424, page 66, in the Register's Office for Davidson County, Tennessee; fronting 60.6 feet on Berry Street, Containing 0.09 acres, more or less;

Subject to and or reserving two (2) permanent easements for utilities, one (1) 10.4 feet wide, more or less, and one (1) 5 feet wide; and all rights in connection with said easements, including the ingress and egress over the properth herein conveyed for servicing said easements

Being all the same property conveyed to Earl D. Bilbrey and Stella M. Bilbrey, his wife, from E. I. du Pont de Nemours and Company, a Delaware Corporation, by deed recorded September 7th 1950, and of Record in Book 1880, page 388 in the Register's Office for Davidson County, Tennessee. The said Earl D. Bilbrey died at the age of 90 years on March 25, 2003, Testate, in Davidson County, Tennessee, leaving his widow, the said Stella M. Bilbrey as the sole tenant by the entirety. Stella M. Bilbrey, a/k/a Stella Marie Worley Bilbrey, died at the age of 91 years on June 21, 2003, Testate, in Davidson County Tennessee, Seventh Circuit Court, Probate Division docket #03P-1298, devising the herein described property to her sole heirs at law, Gary Delon Bilbrey, James Edward Bilbrey, and George Michael Bilbrey the Grantors herein.

The above description is the same as in the previous deed of record.

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, his heirs and assigns, forever. We do covenant with the said GRANTEE that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out. We do further covenant and bind ourselves, our heirs and representatives to warrant and forever defend the title to the said land to the said GRANTEE, his heirs and assigns, against the lawful claims of all persons WHOMSOEVER.

The herein described property is subject to the following:

2003 Property taxes are to be prorated and assumed by the GRANTEES.
All matters shown on the Plan of record in Book 1424, page 66, said Register's Office.
Telephone line easement of record in Book 662, page 743, said Register's Office.
Right-of-way easement of record in Book 662, page 556, said Register's Office.
Restrictions and Easements of record in Book 1788, page 157, said Register's office.

This is improved property known as: 1100 Berry Street, Old Hickory, TN 37209.

The Grantors herein make oath and say:
The property described herein is not their principal residence, nor the residence of their spouse or dependant, and this conveyance is not made to defeat the rights of any third party.

Sworn to and Witness our hands this 12th day of SEPTEMBER, 2003.

Gary Delon Bilbrey

James Edward Bilbrey

George Michael Bilbrey

STATE OF COLORADO }
COUNTY OF }

Personally appeared before me, HEIDI J. CAMPIONE, a Notary Public in and for said County and State, the within named James Edward Bilbrey the bargainor(s), 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.

Sworn to and Witness my hand and official seal this 9TH day of SEPTEMBER, 2003.

NOTARY PUBLIC

My Commission Expires: MY COMMISSION EXPIRES APRIL 26, 2005

HEIDI J. CAMPIONE NOTARY PUBLIC STATE OF COLORADO

****

STATE OF TENNESSEE }
COUNTY OF Davidson }

Personally appeared before me, Leroy J. Ellis IV, a Notary Public in and for said County and State, the within named Gary Delon Bilbrey and George Michael Bilbrey the bargainor(s), with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he/they executed the within instrument, for the purposes therein contained.

Sworn to and Witness my hand and official seal at Nashville, Tennessee this 12th day of SEPTEMBER, 2003.

NOTARY PUBLIC

My Commission Expires: 3-27-04

NOTARY PUBLIC DAVIDSON COUNTY, TENN. AT LARGE

****

WARRANTY DEED

From: Gary Delon Bilbrey
James Edward Bilbrey
George Michael Bilbrey
the sole heirs at law and beneficiaries of
Stella Marie Worley Bilbrey

To: John Robert Mertz
a married man

Property:
1100 Berry Street
Old Hickory, TN. 37209

This Instrument was Prepared by:
Leroy Johnston Ellis IV
Attorney at Law
306 Gay Street, Suite 200
Nashville, Tennessee 37201
(615) 248-4468