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| **THIS INSTRUMENT PREPARED BY:**<br>**Mudter Morgan & Patterson**<br>**Attorneys-at-Law**<br>**2000 Richard Jones Road**<br>**Suite 110**<br>**Nashville, Tennessee 37215**<br><br>**Record & Return To:**<br>**File Box 9B:**<br>**First Title & Escrow Co., Inc.**<br>**FTEC File No. 21714-08-2003** | STATE OF TENNESSEE, COUNTY OF DAVIDSON:<br>The actual consideration or value, whichever is greater, for this transfer is: $387,000.00.<br>X _____<br>Affiant<br>Subscribed and sworn to before me, 29th day of September, 2003.<br>_____<br>Notary Public<br>My Commission Expires: |

NOTARY PUBLIC AT LARGE DAVIDSON CO.

My Commission Expires November 29, 2003

# WARRANTY DEED

| | | |
|---|---|---|
| **Address New Owner:**<br>David W. Nimmo<br>Jennifer M. Nimmo<br>3608 Sperry Avenue<br>Nashville, TN 37215 | **Send Tax Bills To:**<br>Irwin Mortgage Corporation<br>10500 Kincaid Drive<br>Fishers, IN 46038 | **Tax Information:**<br>Map No.117.05<br>Parcel No. 007.00 |

**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, **Elwood R. Darken, Trustee of The Nancy L. Darken Family Trust (as to a 23.96% interest) and Elwood R. Darken, Trustee of The Nancy L. Darken Marital Trust (as to a 76.04% interest)** , ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **David W. Nimmo and wife, Jennifer M. Nimmo** ("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 **3608 Sperry Avenue, Nashville, TN, 37215**

**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 the 29th day of September, 2003.

Elwood R. Darken, trustee

**Elwood R. Darken, Trustee for**
**The Nancy L. Darken Family Trust**

Elwood R. Darken, Trustee

**Elwood R. Darken, Trustee for**
**The Nancy L. Darken Marital Trust**

Elwood R. Darken, trustee

**Elwood R. Darken, Trustee for**
**The Nancy L. Darken Living Trust**

Davidson County DEEDWARR
Recvd: 10/07/03 15:32 2pgs
Fees:13.00 Taxes:1431.90

20031007-0148730

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Elwood R. Darken, Trustee of The Nancy L. Darken Family Trust**, 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 29th day of September, 2003.

Notary Public

My Commission Expires:

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Elwood R. Darken, Trustee of The Nancy L. Darken Marital Trust**, 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 29th day of September, 2003.

Notary Public

My Commission Expires:

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Elwood R. Darken, Trustee of The Nancy L. Darken Living Trust**, 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 29th day of September, 2003.

Notary Public

My Commission Expires:

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE My Commission Expires November 29, 2003

## EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 50 on the Plan of Henry Sperry Subdivision as of record in Plat Book 974, page 21, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Nancy L. Darken by deed from Beverly Stone Therrell of record in Book 8759, page 258, Register's Office for Davidson County, Tennessee. Nancy L. Darken died October 30, 1997, and by Will of record in Book 220, page 507, Probate Court Clerk's Office for Davidson County, Tennessee, subject property was devised to Elwood R. Darken, Trustee of the Nancy L. Darken Living Trust, dated April 2, 1992 (and was conveyed to Edward R. Darken, Trustee for the Nancy L. Darken Living Trust by Special Warranty Deed from Elwood R. Darken, Executor of the Estate of Nancy L. Darken, of record in Book 11705, page 689, Register's Office for Davidson County, Tennessee.) Elwood R. Darken, Trustee of the Nancy L. Darken Living Trust, conveyed a 23.96% interest in said property to The Nancy L. Darken Family Trust by quitclaim deed of record in Instrument No. 20000712-0069064, and a 76.04% interest to The Nancy L. Darken Marital Trust by quitclaim deed of record in Instrument No. 20000712-0069063, Register's Office for Davidson County, Tennessee.

Elwood R. Darken, Trustee of The Nancy L. Darken Living Trust, joins in the execution of this instrument to convey any interest which he may have retained in said property, the previous quitclaim deeds of record having been conveyed to The Nancy L. Darken Family Trust and to The Nancy L. Darken Marital Trust, rather than to Elwood R. Darken, as Trustee of each said Trust.

This conveyance is made subject to:

1) 2003 City/County Taxes, which have been paid by the Grantor and prorated by the parties;
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) All matters appearing on the Plan of record in Plat Book 974, page 21, Register's Office for Davidson County, Tennessee.