THIS INSTRUMENT PREPARED BY:	STATE OF TENNESSEE, COUNTY OF DAVIDSON:
Mudter Morgan & Patterson **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215**	The actual consideration or value, whichever is greater, for this transfer is: $ 383,309.99 Affiant Subscribed and sworn to before me, 3rd day of November, 2003 NOTARY PUBLIC AT LARGE J. Michael Morgan, Notary Public My Commission Expires July 30, 2006 STATE OF TENNESSEE
Record & Return To: **First Title & Escrow Co., Inc.** **FTEC File No. 21933-10-2003** 9B	

WARRANTY DEED

Address New Owner:	Send Tax Bills To:	Tax Information:
Grant T. Smothers Suzanne E. Smothers 637 Cherry Glen Circle Nashville, TN 37215	SunTrust Mortgage, Inc. 204 Fourth Ave. N., 7th Floor Nashville, TN 37204	Map No 131.06 Parcel No 071.00 CO

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, `**Hamilton Company, L.L.C., a Tennessee limited liability company**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Grant T. Smothers and wife, Suzanne E. Smothers** ("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 **637 Cherry Glen Circle, 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 3rd day of November, 2003.

Hamilton Company, L.L.C.

By: John Hays, Chief Manager

Davidson County DEEDWARR
Recvd: 11/13/03 16:12 2pgs
Fees:13.00 Taxes:1418.25

20031113-0166354

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned, of the State and County aforesaid, personally appeared JOHN HAYS, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Chief Manager (or other officer authorized to execute the instrument) of Hamilton Company, L.L.C., the within named bargainor, a corporation, and that he as such authorized officer has executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such aforesaid authorized officer.

Witness my hand and official seal, at office in Nashville, Tennessee, this 3rd day of November, 2003

Joyce Jordan
Notary Public

My Commission Expires: 11-29-03

JOYCE JORDAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 29, 2003

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 10 on the Plan of Village of Cherry Glen Phase 4 as of record in Plat Book 9700, page 664, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Hamilton Company, LLC, a Tennessee limited liability company by quitclaim deed dated March 10, 2003 from Wellesley Builders, LLC, a Tennessee limited liability company of record in Instrument No. 20030311-0031786, re-recorded in Instrument No. 20030319-0036253, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

2003 City/County Taxes, which have been paid by the Grantor and prorated by the parties;

1) 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;
2) Declaration of Covenants, Conditions and Restrictions for Village of Cherry Glen of record in Book 9882, page 739, amended in Book11186, page 932, made applicable in Book 11323, page 247, amended in Instrument No. 20011206-0134252, 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 tohandicap, but does not discriminate against handicapped persons).
3) Declaration of Covenants, Conditions and Restrictions for Burton Hills of record in Book 6517, page 522, amended in Book 6778, page 536, and in Book 9882, page 733, 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 tohandicap, but does not discriminate against handicapped persons).
4) By-Laws of Village of Cherry Glen Association, Inc., of record in Instrument No. 20000204-0011736 amended and restated in Instrument No. 20000324-0030195, Register's Office for Davidson County, Tennessee.
5) Charter of Incorporation of Village of Cherry Glen Association, Inc. of record in Book 9983, page 930, Register's Office for Davidson County, Tennessee.
6) Charter of Incorporation of Burton Hills Homeowners Association, Inc. of record in Book 6517, page 505, amended in Book 6921, page 216, Register's Office for Davidson County, Tennessee.
7) Charter of Incorporation of Burton Hills Recreational Association, Inc. of record in Book 6517, page 511, amended in Book 6921, page 214, Register's Office for Davidson County, Tennessee.
8) Charter of Incorporation of Burton Hills Estate Association, Inc. of record in Book 6665, page 1, amended in Book 6921, page 210, Register's Office for Davidson County, Tennessee.
9) All matters appearing on the Plan of record in Plat Book 9700, page 664, Register's Office for Davidson County, Tennessee.
10) All matters appearing on the Plan of record in Plat Book 9700, page 182, Plat Book 6900, page 55 and Plat Book 6900, page 304, Register's Office for Davidson County, Tennessee.
11) Easement for driveway turnarounds of record in Book 8919, page 779, Register's Office for Davidson County, Tennessee.