THIS INSTRUMENT PREPARED BY:

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Davidson County DEEDWARR
Recvd: 11/14/03 12:04 3pgs
Fees:18.00 Taxes:1572.50
20031114-0166661

Warranty Deed

ADDRESS NEW OWNERS:	PERSON OR ENTITY RESPONSIBLE FOR PAYMENT OF REAL PROPERTY TAXES:	MAP-PARCEL NOS.
Thomas L. Cunningham, III, et al 1301 Campbell Road Goodlettsville, TN 37072	Same as New Owner	Map 32, Parcel 124 Map 33, Parcel 45

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, THOMAS L. CUNNINGHAM, III, and THOMAS L. CUNNINGHAM, IV, hereinafter referred to as the "GRANTORS", have bargained and sold and by these presents do transfer and convey unto THOMAS L. CUNNINGHAM, III and TERRY E. WILKES, as tenants in common, each owning a one-half undivided interest, hereinafter referred to as the "GRANTEES", their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

TRACT ONE: A tract or parcel of land located in the 10th Civil District of Davidson County, Tennessee, being described according to a survey by John Kohl, Surveyor, dated January 4, 1980, as follows:

Beginning at a point in the southerly margin of Campbell Road, said point being located at the northerly most northeasterly corner of Tract 2 consisting of 5.098 acres, more or less, as hereinbelow described, and being the northerly most northwesterly corner of the herein described tract; thence with the southerly margin of Campbell Road, North 73 deg. 58' 30" East, 15.36 feet to a point; thence continuing with the southerly margin of said Campbell Road, South 87 deg. 02' 26" East, 1167.75 feet to a post at the northwesterly corner of the Stanley property of record in Book 5239, page 127, Register's Office for said County; thence leaving the southerly margin of said Campbell Road and with the westerly property lines of lands owned by Stanley, Tribble and Gober, South 2 deg. 52' 11" West 1197.98 feet to a post in the line of Gober; thence with the line of Gober, North 86 deg. 14' 24" West, 488.12 feet to a post, corner to Gober; thence continuing with Gober's line, South 2 deg. 49' 48" West 465.51 feet to a point in the northerly margin of Lowes Lane, said point being the southerly most southwesterly corner of the property owned by Gober of record in Book 3878, page 734, said Register's Office; thence with the northerly margin of said Lowes Lane, North 86 deg. 02' 34" West, 116.38 feet to the beginning of a slight curve to the left; thence with said curve having a tangent of 19.98 feet, a distance of 39.95 feet to a point; thence North 88 deg. 16' 34" West 221.53 feet to a point, said point being the southeasterly corner of a 5.00 acre, more or less, tract having been conveyed to Neal B. Smith and wife, Barbara E. Smith, thence leaving the northerly margin of said Lowes Lane and with the easterly line of the property having been conveyed to Smith, North 0 deg. 04' 27" West 466.69 feet to a point; thence North 88 deg. 16' 34" West 466.69 feet to a point in the easterly line of property owned by Jackson; thence with Jackson's easterly line North 0 deg. 04' 27" West 102.22 feet to a set stone at a fence corner, Jackson's northeasterly corner; thence with the easterly line of property owned by Bess, North 0 deg. 28' 21" West 579.40 feet to a point; thence leaving the easterly line of the Bess property, North 89 deg. 31' 39" East, 326.73 feet to the northwesterly corner of an old cemetery lot; thence with the northerly line of said cemetery lot, North 73 deg. 54' 45" East 27.04 feet to a point, thence South 41 deg. 49' 34" East 31.33 feet to a point; thence South 7 deg. 46' 20" East with a line which passes through the southeasterly corner of said cemetery lot at 37.40 feet, a total distance of 156.60 feet to a point; thence South 88 deg. 30' East 210.14 feet to a point; thence North 1 deg. 30' East 300.00 feet to a point; thence North 63 deg. 52' 35" West 533.69 feet to a point; thence North 35 deg. 50' 06" East 179.33 feet to the point of beginning, containing 36.957 acres, more or less.

INCLUDED in the above description but expressly **EXCLUDED** from this conveyance is an old cemetery lot consisting of .058 acre, more or less, as set out in the survey by John Kohl, Surveyor, dated January 4, 1980, and being the family graveyard reserved in the deed from J.A. Lowe, et ux, to G.W. Peay of record in Book 492, page 368, said Register's Office.

TRACT TWO: A tract or parcel of land located in the 10th Civil District of Davidson County, Tennessee being described according to a survey by John Kohl, Surveyor, dated January 4, 1980, as follows:

Beginning at a point in the southerly margin of Campbell Road, said point being the northeasterly corner of the Bess property of record in Book 2863, page 573, Register's Office for Davidson County, Tennessee, and being the northwesterly corner of the herein described tract; thence with southerly margin of Campbell Road, North 73 deg. 58' 30" East 251.91 feet to a point; thence leaving the margin of said Campbell Road, South 35 deg. 50' 06" West 179.33 feet to a point; thence South 63 deg. 52' 35" East 533.69 feet to a point; thence South 1 deg. 30' West 300.00 feet to a point; thence North 88 deg. 30' West 210.14 feet to a point; thence North 7 deg. 46' 20" West with a line which passes through the southeasterly corner of an old cemetery lot at 119.20 feet, a total distance of 156.60 feet to a point in the easterly line of said cemetery lot; thence continuing with the easterly line of said cemetery lot, North 41 deg. 49' 34" West 31.33 feet to a point; said point being the northerly most corner of the hereinabove referenced cemetery lot; thence with the northwesterly line of said cemetery lot, South 73 deg. 54' 45" West, 27.04 feet to a point, said point being the northwesterly corner of said cemetery lot; thence South 89 deg. 31' 39" West 326.73 feet to a point in the easterly line of the Bess property; thence with Bess' easterly line; North 0 deg. 28' 21" West 436.92 feet to the point of beginning, containing 5.098 acres, more or less.

Being the same property conveyed to Thomas L. Cunningham, III and wife, Patricia Ann Cunningham, and Thomas L. Cunningham, IV, as joint tenants with survivorship obtaining, by deed from Bryan Glenn Kennedy, a single man, of record in Instrument No. 200006090057549, Register's Office for Davidson County, Tennessee; and, Patricia Ann Cunningham having conveyed her interest in the said property to Thomas L. Cunningham, III, by Quitclaim Deed filed for record as Instrument No. 20030130-0013048, Register's Office for Davidson County, Tennessee; and, Thomas L. Cunningham, III and Thomas L. Cunningham, IV, became owners of the said property as joint tenants with survivorship obtaining.

The current mailing address for said property is 1301 Campbell Road, Goodlettsville, TN 37072.

The legal description, as hereinabove set forth, is the same as that contained in the previous Deed of Record.

Terry E. Wilkes having purchased the interest of Thomas L. Cunningham, IV in the said property now becomes vested with ownership and title to a one-half undivided interest in the property, as a tenant in common with Thomas L. Cunningham, III who owns the remaining one-half undivided interest.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns, forever.

And we, the GRANTORS, do covenant with the said GRANTEES, that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and warrant that the same is unencumbered, except as follows:

1. Real Property Taxes for the year 2003, which have been pro-rated and will be paid one-half by each of the GRANTEES.
2. Subject of the rights of others in a family graveyard reserved in the deed from J. A. Lowe and wife, to G. W. Peay of record in Book 492, page 368, said Register's Office, together with rights of ingress and egress thereto.

And, we, the GRANTORS, do further covenant and bind ourselves, our heirs and representatives to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever.

Joinder of Spouse: KATHY N. CUNNINGHAM, wife of THOMAS L. CUNNINGHAM, IV, joins in this conveyance to convey any and all right, title or interest which she may have in and to the real property described herein, marital or otherwise.

WITNESS our hands on the day and date last acknowledged below.

"GRANTORS"

Thomas L. Cunningham III
THOMAS L. CUNNINGHAM, III

Thomas L Cunningham IV
THOMAS L. CUNNINGHAM, IV

Kathy Cunningham
KATHY N. CUNNINGHAM

"GRANTEES"

Terry E. Wilkes
TERRY E. WILKES

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, THOMAS L. CUNNINGHAM, III, THOMAS L. CUNNINGHAM, IV and wife, KATHY N. CUNNINGHAM, and TERRY E. WILKES, 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 the 10th day of November, 2003.

Patsy C. Davidson
NOTARY PUBLIC

PATSY C. DAVIDSON NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires Dec. 6, 2005

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration or value, whichever is greater, for this transfer is $425,000.00.

Terry E. Wilkes
Affiant

Sworn to and subscribed before me, this the 10th day of November, 2003.

Patsy C. Davidson
NOTARY PUBLIC

PATSY C. DAVIDSON NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires Dec. 6, 2005