40-A

This Instrument Prepared By:
Gibson, Gregory & Gwyn, PLLC
201 Fourth Avenue, N. Suite 1900
Nashville Tennessee 37219

Davidson County DEEDWARR
Recvd: 09/10/03 15:50 3pgs
Fees:18.00 Taxes:87.69
[redacted]
20030910-0132334

ADDRESS NEW OWNER:

Robert O'Malley and wife,
Betty O'Malley
P. O. Box 4
Antioch, TN 37013

SEND TAX BILL:
New Owner

RE-RECORD

MAP AND PARCEL:
MAP 093-16-0,
PARCEL 410.00

Davidson County DEEDWARR
Recvd: 12/12/03 15:49 3pgs
Fees:17.00 Taxes:0.00
20031212-0178595

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the Grantees named herein, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Freddie McLean and wife, Kanice McLean, ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto Robert O'Malley and wife, Betty O'Malley, ("Grantee"), their heirs, successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee (the "Property"), described as follows, to wit:

ALL THAT TRACT OR PARCEL OF LAND SHOWN ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Being the same property conveyed to Freddie McLean and wife, Kanice McLean by deed from G. L. Waynick of record in Book 10150, page 395, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to the real estate taxes for the current year, which have been prorated and assumed by Grantee, and such limitations and restrictions and easements as may affect the premises.

This is improved property known as 165 Fain Street, Nashville, TN 37210.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to Grantee, their heirs, successors and assigns, forever; and Grantor, does covenant with Grantee that they are lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and the same is unencumbered unless otherwise herein set out; and Grantor does further covenant and bind themselves, their heirs, assigns and representatives, to warrant and forever defend the title to the Property to Grantee, their heirs, successors and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

THIS INSTRUMENT IS BEING RE-RECORDED TO REFLECT THE MARITAL STATUS OF GRANTOR AND GRANTEE.

Witness our hands this 8 day of Sep, 2003.

Freddie McLean
Freddie McLean

Kanice McLean
Kanice McLean

STATE OF North Carolina)
COUNTY OF Cumberland)

Before me, the undersigned, of the state and county aforesaid, personally appeared Freddie McLean and wife, Kanice McLean, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that they executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal this 8 day of September, 2003 2003.

Saundra L. Warren
Notary Public

SAUNDRA L. WARREN NOTARY PUBLIC CUMBERLAND COUNTY, N.C.

My Commission Expires: My Commission Expires 08/09/2005

STATE OF TENNESSEE)
COUNTY OF Davidson)

The actual value or consideration, whichever is greater, for this transfer is $23,700.00.

Robert Malloy
AFFIANT

Subscribed and sworn to before me
this 9th day of September, 2003.

Catherine H. Gwyn
NOTARY PUBLIC

My Commission Expires: 1/29/05

CATHERINE H. GWYN Notary Public At Large DAVIDSON COUNTY, TENN.
My Commission Expires January 29, 2005

Exhibit "A" Legal Description

Being the easterly part of Lot No. 2 of Block "H" on the plan of the Hermitage Addition to Nashville, as of record in Book 57, Page 43, of the Register's Office for Davidson County, Tennessee, described as follows:

Beginning on the southerly margin of Fain Street, formerly Heritage Avenue, at the northeast corner of a part of said lot conveyed to J.G. Gamble; thence with the southerly margin of said street easterly 70 feet to the corner of Lots Nos. 2 and 3; thence southerly with the line between said two lots 138 feet to the northwesterly margin of Meridith Avenue; thence with the margin of said Avenue southwesterly 94.1 feet to the corner of Lot No. 4; thence with the northerly margin of said Lot No. 4 westerly 3 feet, more or less,to the southeast corner of said Gamble's lot; thence with his easterly line northerly 170 feet, more or less, to the beginning.

Included in the above description but expressly escluded therefrom is that portion of said property deeded to the State of Tennessee by instrument of record, R.O.D.C. Book 3164, Page 589, by Sidney Averbuch and Gerald Averbuch, more particularly described as follows:

Land in Davidson County, Tennessee, being the easterly part of Lot No. 2 of Block "H" on the Plan of the Hermitage Addition to Nashville as of record in Book 57, Page 43, Register's Office for said County, described as follows:

Beginning at a point in the southerly margin of Fain Street at the northeast corner of the property conveyed to Sdney and Gerald Averbuch of record in Book 1550, Page 131, R.O.D.C., Tennessee; thence south 4 Degrees 58' east with the east margin of said property 38 feet to a point, thence North 54 Degrees 20' west 59 feet to a point in the southerly margin of Fain Street; thence easterly with the margin of FAin Street 44 feet to the point of Beginning, containing 836 sq. feet more or less.