This instrument is being re-recorded to correct an error in the legal description.

**RECORD & RETURN TO:**
**BOX 36, DAVIDSON COUNTY**

# RE-RECORD

**NOTE: PRIOR WARRANTY DEED FOR THIS TRANSACTION WAS SIGNED FEBRUARY 7, 2003, BUT WAS LOST.**

## WARRANTY DEED

Davidson County DEEDWARR
Recvd: 12/12/03 11:02 2pgs
Fees:13.00 Taxes:700.59
[redacted]
20031212-0178366

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $189,348.00.

Robbin Capel
*Affiant*

Subscribed and sworn to me on December 11, 2003, effective as of February 7, 2003.

Amy Adams Gowan
NOTARY PUBLIC

AMY ADAMS GOWAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY

NOTARY PUBLIC
AT LARGE
Amy Adams Gowan
My Commission Expires
November 25, 2006
STATE OF TENNESSEE

Davidson County DEEDWARR
Recvd: 12/19/03 16:22 2pgs
Fees:12.00 Taxes:0.00
20031219-0181443

THIS INSTRUMENT WAS PREPARED BY:
David B. Herbert
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375

| NAME/ADDRESS OF NEW OWNER: | SEND TAX BILLS TO: | MAP – PARCEL # |
|---|---|---|
| Robbin Capel<br>Christopher Foster<br>5817 Scout Drive<br>Nashville, TN 37211 | SAME | 172-12-B/211 |

**FOR AND IN CONSIDERATION** of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Timothy R. Butler and wife, Deborah L. Butler, hereinafter called **"GRANTORS,"** have bargained and sold, and by these presents do transfer and convey unto Robbin Capel and Christopher Foster, as tenants in common, hereinafter called **"GRANTEES,"** their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Land in Davidson County, Tennessee, being Lot No. 277 on the Plan of Bradford Hills, Section 11, as shown on the plat of record in Plat Book 7900, page 6 and amended in Plat Book 7900, page 496, Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Being the same property conveyed to Timothy Roger Butler by Deed from Yazdian Construction, Inc. of Record in Book 9259, page 500, Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2003 Davidson County taxes, which have been prorated by the parties and assumed by the Grantees; 2004 and subsequent Davidson County taxes are assumed by the Grantees;
2. Matters shown on plan of record in Book 7900, page 6 and amended in Book 7900, page 496, Register's Office for Cheatham County, Tennessee; and
3. Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, power of attorney, and limitations on title set forth in restrictions recorded in Book 8069, page 170, Book 8885, page 517, and Book 8885, page 519 and in any allied instrument(s) referred to in said restrictions;
4. By-laws of Bradford Hills Homeowners' Association, Inc., of record in Book 8071, page 531, said Register's Office;
5. Charter of Bradford Hills Homeowners' Association, Inc. of record in Book 8071, page 520, said Register's Office;
6. Deeds of Conveyance to The Metropolitan Government of Nashville and Davidson County, Department of Water and Sewage Service, of record in Book 8377, page 808 and Book 8377, page 769, said Register's Office;
7. Quitclaim Deed for Common Areas to Bradford Hills Homeowners' Association of record in Book 8154, page 304; and Book 9779, page 672, said Register's Office;

8. 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.

This property is also known as improved property located at 5817 Scout Drive, Nashville, TN 37211.

**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 GRANTORS do covenant with the said GRANTEES that they are lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTORS do further covenant and bind themselves, their heirs and assigns, 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. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**WITNESS** our hands on December 11th, 2003, but made effective as of February 7, 2003.

Timothy R Butler

**Timothy R. Butler**

Deborah L. Butler

**Deborah L. Butler**

**STATE OF TENNESSEE, COUNTY OF DAVIDSON**

On December 11, 2003, before me personally appeared Timothy R. Butler and wife, Deborah L. Butler to me known (or proved to me on the basis of satisfactory evidence) to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal on December 11, 2003.

Amy Adams Gowan

NOTARY PUBLIC

My Commission Expires: _____

AMY ADAMS GOWAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Amy Adams Gowan
My Commission Expires
November 25, 2006
STATE OF TENNESSEE

F:\Bobbie\WD-Capel