THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **First Title & Escrow Co., Inc.** **FTEC File No. 22141-12-2003** 9B	*STATE OF TENNESSEE, COUNTY OF DAVIDSON:* The actual consideration or value, whichever is greater, for this transfer is: *$232,780.00.* Affiant Subscribed and sworn to before me this 19th day of December, 2003. Notary Public My Commission Expires:

GERALD G. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 29, 2003

WARRANTY DEED

Address New Owner: Janice K. Franklin 7628 Leveson Way Nashville, TN 37211	**Send Tax Bills To:** Countrywide Home Loans, Inc. 2021 N. Gallatin Road, Ste. 292 Madison, TN 37115	**Tax Information:** Map No. 173-09-0-A Parcel No. 051.00CO

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, **Don B. Smithson d/b/a Don B. Smithson Construction**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Janice K. Franklin** ("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 **7628 Leveson Way, Nashville, TN**, 37211

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 19th day of December, 2003.

Don B. Smithson d/b/a
Don B. Smithson Construction

Davidson County DEEDWARR
Recvd: 12/29/03 12:45 2pgs
Fees:13.00 Taxes:861.29
20031229-0183132

STATE OF TENNESSEE, COUNTY OF DAVIDSON *SS.:*

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Don B. Smithson d/b/a Don B. Smithson Construction**, 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 19th day of December, 2003.

Notary Public

My Commission Expires:

GERALD G. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
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EXHIBIT "A"

Land in Davidson, Tennessee, being Lot No. 49 on the Plan of Revision One, Section Two, Lenox Village, as of record in Instrument No.20020731-0091872, page , Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Don B. Smithson dba Don B. Smithson Construction by deed dated 5/30/2003 from Lenox Village I, LLC, a Tennessee limited liability Company, of record in Instrument No. 20030604-0076992, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1) 2003 City/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) Subject to "roll-back taxes" for the statutory period if the land is converted to a use other than those stipulated in the provisions of T.C.A. § 67-5-1008.
4) If improvements are completed after January 1 of any year, the Law requires supplemental assessments for the year in which improvements are completed as defined by Statute. The Company assumes no liability for taxes assessed by correction pursuant to the provisions of T.C.A. § 67-5-603.
5) Declaration of Covenants, Conditions and Restrictions for Lenox Village of record in Instrument No. 20020315-0032826, supplemented in Instrument No. 20021226-0158458 and in Instrument No. 20031212-0178492, 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).
6) Charter of Incorporation of Lenox Village Neighborhood Association,Inc. of record in Instrument No. 20020412-0045831, Register's Office for Davidson County, Tennessee.
7) Covenants, Conditions, Restrictions and Agreements, including the agreement to pay assessments for the maintenance of common areas, contained in the Master Deed (and By-Laws) for Lenox Village, of record in Instrument No. 20020315-0032825 and supplemented in Instrument No. 20021226-0158459, Register's Office for Davidson County, Tennessee.
8) Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in 20011129-0130322, Register's Office for Davidson County, Tennessee.
9) All matters appearing on the Plan of of record in Instrument No. 20020731-0091872, Register's Office for Davidson County, Tennessee.
10) Easement for ingress and egress of record in Instrument No. 20010103-0000902 as corrected in Instrument No. 20010822-0090889, Register's Office for Davidson County, Tennessee.
11) Storm water detention agreement of record in Book 7361, Page 230 and in Instrument No. 20020408-0042676, Register's Office for Davidson County, Tennessee.