PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

RETURN TO:
COMMONWEALTH TITLE AGENCY
OF NASHVILLE, INC
333 GALLATIN RD. SOUTH
MADISON, TN 37115

WARRANTY DEED

THIS INDENTURE is made and entered into this **31st** day of **December, 2003, by and between DAVID A. BAIN, A MARRIED MAN, hereinafter called Grantor, and JOSHUA F. BIRD, UNMARRIED, hereinafter called Grantee.**

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which are hereby acknowledged, DAVID A. BAIN, A MARRIED MAN, as Grantor, does hereby bargain, sell, transfer and convey unto JOSHUA F. BIRD, UNMARRIED, hereinafter referred to as Grantee, his successors, heirs and assigns, all of that certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantor in and to all buildings and fixtures located on said real estate, and any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (collectively, the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is improved property known as 931 SOUTH 13TH COURT, NASHVILLE, TN 37206.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantees, his successors, heirs and assigns forever. The Grantor covenants and agrees with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantor further covenants and binds himself and his successors, heirs and assigns, to warrant and forever defend the title to said Grantee, his successors, heirs and assigns, against the lawful claims of all person whomsoever.

Emily M. Bain, **wife of DAVID A. BAIN, the Grantor herein, joins in the herein conveyance for the sole purpose of conveying any right, title and interest she may have in and to the property described herein, marital or otherwise.**

WITNESS the hand and seal of Grantor on the day and year first above written.

DAVID A. BAIN
SIGNATURE OF SELLER

Emily M. Bain
SIGNATURE OF SELLER SPOUSE

Davidson County DEEDWARR
Recvd: 01/07/04 15:22 3pgs
Fees:18.00 Taxes:175.75

20040107-0002871

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **DAVID A. BAIN, joined by HIS WIFE SPOUSE,** EMILY M. BAIN, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 31 ST day of **December, 2003.**

Denise C. Allis
Notary Public

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires: 5/30/2004

Name and Address of Property Owner:

JOSHUA F. BIRD, UNMARRIED

931 SOUTH 13TH COURT
NASHVILLE, TN 37206

Property Address:

931 SOUTH 13TH COURT
NASHVILLE, TN 37206

Person Responsible for Taxes:

Amsouth Bank
2050 Parkway office Circle
Birmingham, AL 35244

Map & Parcel #: MAP 94-5, PARCEL 75

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$47,500.00** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this **31st** day of **December, 2003.**

Denise C. Allis
Notary Public

DENISE C. ALLIS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires: 5/30/2004

RETURN TO:

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333 GALLATIN ROAD SOUTH
MADISON, TN 37115

EXHIBIT 'A'

Being Lot No. 85 on the Map of Shelby Heights Subdivision, Section One, Revised, as of record in Book 2330, page 171, Register's Office for Davidson County, Tennessee.

Said Lot No. 85 fronts 58.04 feet on the southeast margin of South 13th Court and extends back 125.01 feet on the northeast line and 118.7 feet on the southwest line to a dead line measuring 56.5 feet thereon.

Being the same property conveyed to DAVID A. BAIN, A MARRIED MAN, by Warranty Deed from ALTIE MAI BAIN, A WIDOW, of record in BOOK 9844, PAGE 240, Register's Office for DAVIDSON County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2004 and subsequent years, A LIEN, not yet due and payable (MAP 94-5, PARCEL 75).

2. All matters as set forth on the Plan of record in Plat Book 2330, page 171, said Register's Office, which plan includes a 25-foot minimum building setback line from S. 13TH COURT.