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Davidson County DEEDWARR
Recvd: 01/09/04 15:47 2pgs
Fees:13.00 Taxes:1258.00

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| **THIS INSTRUMENT PREPARED BY:**<br>**George V. Crawford, Jr.**<br>**GULLETT, SANFORD, ROBINSON & MARTIN, PLLC**<br>230 Fourth Avenue, North<br>P. O. Box 198888<br>Nashville, Tennessee 37219-8888<br>(615) 244-4994 | STATE OF TENNESSEE )<br>COUNTY OF DAVIDSON )<br><br>The actual consideration or value, whichever is greater, for this transfer is $340,000.00.<br><br>**Affiant**<br><br>Subscribed and sworn to before me, this 8th day of January, 2004.<br><br>Notary Public<br><br>My Commission Expires: |

GEORGE V. CRAWFORD, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007

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|---|---|---|
| Address New Owner As Follows:<br>Nicholas S. Akins and<br>Carolyn D. Akins<br>1100 Black Cherry Court<br>Nashville, TN 37215 | Send Tax Bills To:<br>Capital Bank & Trust Co.<br>1820 West End Avenue<br>Nashville, TN 37203 | Map-Parcel Number<br>131-06-H-059.00 |

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059.00 CO

**WARRANTY DEED**

**FOR AND IN CONSIDERATION** of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **BRUCE J. ROTH AND WIFE, LORI A. ROTH**, hereinafter called the Grantors, have bargained and sold, and by these presents do transfer and convey unto **NICHOLAS S. AKINS AND WIFE, CAROLYN D. AKINS**, hereinafter called the Grantees, their heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Land in Davidson County, Tennessee, being Lot No. 63 on the Plan of Village of Cherry Glen, Phase 3, of record in Book 9700, page 451, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Bruce J. Roth by deed from Wellesley Builders, L.L.C., a Tennessee limited liability company, of record in Book 11500, page 717, Register's Office for Davidson County, Tennessee.

A new legal description was not prepared for this transaction.

This conveyance is made subject to:

1. 2004 Metro taxes, a lien but not yet due and payable, which have been prorated and assumed by Grantees. By acceptance of delivery of this instrument, Grantees assume and agrees to pay such taxes as and when such become payable and to indemnify and hold harmless Grantors from liability and loss therefrom.

2. Matters shown on the Plan of record in Book 9700, page 451, Register's Office for Davidson County, Tennessee.

3. Declaration of Covenants, Conditions, Liens, Easements and Restrictions, including, but not limited to, easements, assessments, special assessments, charges and liens, contained in an instrument of record in Book 9882, page 739, Register's Office for said County, as amended by First Amendment of record in Book 10318, page 92, and by Second Amendment of record in book 10594, page 695, and Third Amendment of record in Book 11186, page 932 and Fourth Amendment of record in Book 11323, page 247, also amended as Instrument No. 20011206-0134252, Register's Office for Davidson County, Tennessee.

This is improved property known as 436 Cumberland Place, Nashville, TN 37215.

**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 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 the same is unencumbered, unless otherwise herein set out; and we further covenant and bind ourselves, our 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 person whomsoever.

**WITNESS** our hands this 8th day of January, 2004.

**BRUCE J. ROTH**

**LORI A. ROTH**

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **BRUCE J. ROTH AND WIFE, LORI A. ROTH**, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this 8th day of January, 2004.

Notary Public

My Commission Expires: My Commission Expires JULY 21, 2007

GEORGE V. CRAWFORD, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.