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. 22128-12-2003** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $760,000.00. Affiant Subscribed and sworn to before me this 9th day of January, 2004. Notary Public My Commission Expires:

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 25, 2004

WARRANTY DEED

Address New Owner: Richard T. Gernert, Jr. Anne M. Gernert 5 Castle Rising Nashville, TN 37215	**Send Tax Bills To:** NEW OWNER	**Tax Information:** Map No.130-12-A Parcel No. 056.00 CO

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, **Michael J. Kane and wife, Susan J. Kane**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Richard T. Gernert, Jr. and Anne M. Gernert, as tenants in common** ("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 5 Castle Rising, Nashville, TN, 37215

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 9th day of January, 2004.

Michael J. Kane

Susan J. Kane

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Michael J. Kane and Susan J. Kane**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 9th day of January, 2004.

Notary Public

My Commission Expires:

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 25, 2004

Davidson County DEEDWARR
Recvd: 01/14/04 15:40 2pgs
Fees:13.00 Taxes:2812.00

20040114-0006022

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 56 on the Plan of Northumberland as of record in Plat Book 6250, pages 128 and 129, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Michael J. Kane and wife, Susan J. Kane by deed dated July 25, 1995 from Charles Kane, married of record in Book 9740, page 372, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1) 2004 City/County Taxes, which have been prorated and assumed by the Grantee(s);
2) Declaration of Covenants, Conditions By-Laws and Retrictions for Northumberland, of record in Book 6377, page 18, re-recorded in Book 6545, page 799, amended in Book 7663, page 468, Book 8919, page 45, Book 8990, page 50, Book 11298, page 935 and Instrument No. 20010629-0068967, 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 to handicap, but does not discriminate against handicapped persons);
3) Charter of Incorporation of Northumberland Homeowners Association, Inc. of record in Book 6493, page 884, amended in Book 7545, page 405 and Book 7841, page 73, Register's Office for Davidson County, Tennessee;
4) Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 6434, page 786, Book 6548, page 98 and in Book 6581, pages 77 and 80, Register's Office for Davidson County, Tennessee;
5) Easement to Nashville Electric Service of record in Book 2296, page 303, Register's Office for Davidson County, Tennessee;
6) Easement for water line of record in Book 1108, page 379, Register's Office for Davidson County, Tennessee;
7) Easement of record in Book 1181, page 486, Register's Office for Davidson County, Tennessee;
8) All matters appearing on the Plan of record in Book 6250, pages 128 and 129, Register's Office for Davidson County, Tennessee.