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. 22271-01-2004** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $271,000.00. Affiant Subscribed and sworn to before me this 6th day of February, 2004. Notary Public My Commission Expires:

WILLIAM T. CHAPMAN IV NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 30, 2006

WARRANTY DEED

Address New Owner: David A. Spodeck, Sr. Vicky K. Spodeck 5917 Fireside Drive Brentwood, TN 37027	**Send Tax Bills To:** New Owners	**Tax Information:** Map No.160.16 Parcel No. 056.00

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, **Sean Vaughn and wife, Kari Vaughn**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **David A. Spodeck, Sr. and wife, Vicky K. Spodeck** ("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 5917 Fireside Drive, Brentwood, TN, 37027

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 6th day of February, 2004.

Sean Vaughn

Kari Vaughn

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

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

Witness my hand, at office, this 6th day of February, 2004.

Notary Public

My Commission Expires:

Davidson County DEEDWARR
Recvd: 02/10/04 15:58 2pgs
Fees:13.00 Taxes:1002.70

20040210-0016205

DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 30, 2006

EXHIBIT "A"

Land in Davidson, Tennessee, being Lot No. 59 on the Plan of Hearthstone, Phase 6 of record in Plat Book 6900, page 254 (erroneusly refered to as Plat Book 6250, page 991, in the previous deeds of record) in the Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Sean Vaughn etux Kari Vaughn by deed dated 4/7/2003 from Walter E. Strickland etux Patricia Anne Strickland of record as Instrument No. 20030417-0051127, 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) Restrictive covenants contained in an instrument of record in Book 6917, page 575, Book 5409, page 485, 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) Declaration of Covenants, Conditions and Restrictions for Hearthstone Common Facilities Association, Inc. of record in Book 7053, page 982, amended in Book 9945, page 958, 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);
4) Charter of Incorporation of Hearthstone Common Facilities Association, Inc. of record in Book 6995, page 646, Register's Office for Davidson County, Tennessee.
5) All matters appearing on the Plan of of record in Plat Book 6900, page 254, Register's Office for Davidson County, Tennessee.