24-1-077

Register Return to:
Land Title South, Inc.
501 Corporate Centre Dr.
Suite 360
Franklin, TN 37067

Davidson County DEEDWARR
Recvd: 03/17/04 14:25 3pgs
Fees:18.00 Taxes:314.50

20040317-0030492

PREPARED BY:
Land Title South, Inc.
501 Corporate Centre Drive, Suite 360
Franklin, TN 37067

WARRANTY DEED

THIS INDENTURE is made and entered into this **8th** day of **March, 2004** by and between **David Bibee, unmarried, and Terri Lavender and husband Kenny Lavender,** herein after referred to as GRANTOR, and **Timothy C. Cox and wife, Suzanne E. Cox** , herein after referred to as 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 consideration, the receipt of which is hereby acknowledged, the GRANTOR does hereby bargain, sell, transfer and convey unto the GRANTEES, all of GRANTOR'S right, title and interest in the following described property lying in City of **Pegram,** County of **Davidson,** State of Tennessee, more particularly described as follows:

TRACT 1:
A Tract of land in the 8th, formerly the 12th Civil District of Davidson County, Tennessee. Being a southwest portion of B. B. Johnson's 496 acre tract recorded in R. O. D. C. Book 1149, page 622. The courses along the unimproved road were surveyed May 29, 1967 by Jack R. Underwood. The other courses in the description were taken from a survey made by Hickerson-Miller, Engineers-Surveyors, Nashville, Tennessee. Containing 54 acres, more or less.

Beginning in the center of an unimproved road 9 feet N. 87 degrees 30' W. from a fence post on east side of said road; thence N. 87 degrees 30' W. 176' to a stake; thence N. 2 degrees 30' E. 396' (passing a White Oak at 382') to a stake; thence N 87 degrees 30' W. 1,697.5' to a stake; thence N. 00 degrees 00' 1,095' to the center of unimproved road; thence with the following calls (to varying points of said road) : N 56 degrees 45' E. 50' ; thence N. 71 degrees E. 300' ; thence S. 72 degrees E. 260' ; thence N. 85 degrees E. 200' ; thence N. 64 degrees E. 265' ; thence N. 66 degrees E. 195' ; thence E. 00 degrees 00' 275' ; thence S. 80 degrees E. 200' ; thence S. 56 degrees E. 122' ; thence S. 11 degrees 30' E. 97'; thence S. 14 degrees 15' W. 313.5'; thence S. 8 degrees 15' E. 387'; thence S. 17 degrees W. 330'; thence S. 12 degrees 45' E. 155.5'; thence S. 30 degrees 15' E. 172'; thence S 2 degrees 30' W. 374' to the point of beginning. Containing 54 Acres, more or less.

Being the same property conveyed unto David Bibee, unmarried and Terri Lavender, a married woman, by Quitclaim Deed from Sarah Frances Bibee (also known as Sarah Bibee), being recorded simultaneously herewith in Instrument Number 20040317-0030491 **, Register's Office for Davidson County, Tennessee. Previously being part of the same property conveyed to James Bibee and wife, Sarah Frances Bibee (also known as Sarah Bibee) by Warranty Deed from B.B. Johnson and Merlan L. Johnson of record in Book 4142, page 61, recorded on June 16, 1967, Register's Office for Davidson County, Tennessee. James Bibee predeceased his wife, Sarah Frances Bibee (also known as Sarah Bibee), and property vested as Sarah Frances Bibee (also known as Sarah Bibee) as tenant by the entirety.**

TRACT 2:
Being land in the 12th District of said County, more particularly described as follows: Beginning at a hickory, Jessie Dozier's southwest corner; thence with his line north 3 degrees east 113 poles to a stake and pointers on steep hillside in Bank's line; thence north 87 1/2 degrees east 117 poles to the beginning, containing 14-117-160 acres, more or less.
SAID LAND IS ALSO DESCRIBED AS FOLLOWS:
Beginning at a black oak in Haynes line; thence north 2 1/2 degrees east 24 poles to a black oak stump, King's corner, marked D; thence with King's line north 87 1/2 degrees west 100 poles, his corner in Jack Crouch line; thence south 2 1/2 degrees with Crouch's line 24 poles to a stake, Haynes corner; thence with his line south 87 1/2 degrees east 100 poles to beginning, containing 15 acres, more or less.

Being the same property conveyed unto David Bibee, unmarried and Terri Lavender, a married woman, by Quitclaim Deed from Sarah Frances Bibee (

also known as Sarah Bibee), being recorded simultaneously herewith in Instrument Number _____, Register's Office for Davidson County, Tennessee. Previously being part of the same property conveyed to James D. Bibee and wife, Sarah Bibee by Warranty Deed from Gladys Webb Pugh Spence of record in Book 4625, page 350, and recorded on August 7, 1972, Register's Office for Davidson County, Tennessee. James Bibee predesceased his wife, Sarah Bibee (also known as Sarah Frances Bibee), and property vested as Sarah Bibee (also known as Sarah Frances Bibee) as tenant by the entirety.

INCLUDED IN THE ABOVE DESCRIBED PROPERTY BUT EXPRESSLY EXCLUDED FROM THE CONVEYANCE

TRACT A:
Being land in the 8th Civil District of Davidson County, Tennessee, described as follows: Beginning at an iron rod located in the center of Old Pond Creek Road, being the southeast corner of the Earl Loftis, et ux, land, as of record in Book 3186, page 459, and the southwest corner of the John B. Turner land, as of record in Book 4441, page 761, R.O.D.C., Tennessee; thence with the center of said Road S. 71 degrees 12' 59" E, 167.41feet to a PK (nail); thence S. 441.20 feet to a point; thence W. 571.08 feet to a point; thence N. 00 degrees 21' 45" W. 248.19 feet to an iron rod; thence N. 74 degrees 00' 29" E. 252.68 feet to an iron rod; thence N. 104.91 feet to an iron rod in the center of a dirt road; thence N. 67 degrees 03' 42" E. 180.83 feet to a PK (nail) in the center of Old Pond Creek Road; thence S. 71 degrees 12' 59" E. 17.41 feet to the point of beginning containing 5.076 acres, more or less, according to a survey of Dixie Engineering Associates, dated August 26, 1986. Conveyed in Book 6975, page 737, Davidson County Register's Office.

TRACT B:
Being land in the 8th Civil District of Davidson County, Tennessee, described as follows:
Beginning at an iron pin set in the west right-of-way of Old Pond Creek Road, located 1,015 feet from the southeast corner of the James Bibee, et ux, property; thence north 87 degrees 51' 45" west 535.53 feet to a point; thence north 02 degrees 08' 15" east 433.68 feet to a point; thence south 87 degrees 51' 45" east 482.20 feet to an iron pin in the west right-of-way of Old Pond Creek Road; thence along said right-of-way south 09 degrees53' 44" west 85.91 feet to an iron pin; thence south 10 degrees 22' 36" east 326.80 feet to an iron pin; thence south 13 degrees 10' 15" west 30 feet to the point of beginning containing 5.0 acres, more or less, according to a survey of Dixie Engineering Associates dated 1/5/87. Property conveyed in Book 7101, page 782, Register's Office for Davidson County, Tennessee.

TRACT C:
Beginning at a point on the centerline of Old Pond Creek Road at the Southeast corner of the Bibee property, thence with the centerline of said Old Pond Creek Road North 08 degrees 37 minutes 32 seconds East, 167.97 feet to a point; thence continuing with said centerline North 02 degrees 16 minutes 46 seconds West, 193.61 feet to a point, the point of beginning; thence leaving said centerline with a line North 61 degrees 20 minutes 18 seconds West, 294.73 feet to a point in the centerline of an old roadbed marked with an iron pin; thence with the said old roadbed South 74 degrees 35 minutes 45 seconds West, 229.23 feet to a point in the centerline of an old roadbed marked with an iron pin; thence leaving said old roadbed, North 02 degrees 08 minutes 15 seconds East, 567.08 feet to a point on the Southerly boundary of parcel "A" marked with an iron pin; thence with the said southerly boundary South 87 degrees 52 minutes 14 seconds East, 413.79 feet to a point in the centerline of Old Pond Creek Road; thence with the said centerline South 13 degrees 10 minutes 15 seconds west, 267.21 feet to a point; thence with the said centerline South 15 degrees 04 minutes 08 seconds East, 228.59 feet to a point; thence with the said centerline South 17 degrees 05 minutes 55 seconds East, 157.83 feet to the point of beginning. The above tract contains 217,801 square feet or 5.00 acres. Being conveyed in in Book 10130, page 916, Register's Office for Davidson County, Tennessee.

*Kenny Lavender joins in this conveyance to transfer his marital rights.

This is improved/unimproved property known as: 8161 Old Pond Creek Road, Pegram, TN 37067

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto GRANTEE, GRANTEE'S heirs, successors and assigns forever. The GRANTOR does covenant and agree 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 herein, and that the title and quiet possession thereto GRANTOR will forever warrant and defend against the lawful claims of all persons whomsoever.

WITNESS MY HAND on the day and year first above written.

David Bibee
Signature of Seller

Terri Lavender
Signature of Seller

Signature of Seller
Kenny Lavender

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF Williamson)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, **David Bibee**, the within named bargainor, 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 and official seal at office in **Davidson** County, this **8th** day of **March, 2004.**

MY COMMISSION EXPIRES AUGUST 22, 2005

Notary Public

My Commission Expires:_____

CARRIE E. HUGHES NOTARY PUBLIC AT LARGE MAURY COUNTY, TENNESSEE

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF Williamson)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, **Terri Lavender**, the within named bargainor, 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 and official seal at office in **Davidson** County, this **8th** day of **March, 2004.**

MY COMMISSION EXPIRES AUGUST 22, 2005

Notary Public

My Commission Expires:_____

CARRIE E. HUGHES NOTARY PUBLIC AT LARGE MAURY COUNTY, TENNESSEE

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF Williamson)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, Kenny Lavender, the within named bargainor, 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 and official seal at office in **Davidson** County, this **8th** day of **March, 2004.**

MY COMMISSION EXPIRES AUGUST 22, 2005

Notary Public

My Commission Expires:_____

CARRIE E. HUGHES NOTARY PUBLIC AT LARGE MAURY COUNTY, TENNESSEE

Name and Address of Property Owner:
Timothy C. Cox and Suzanne E. Cox
8161 Old Pond Creek Road, Pegram, TN 37067

Send Tax Statements to:
SAME

M & P-100-4.00 53.92+/- acres sale

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF Williamson

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 **$85,000.00** 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 **8th** day of **March, 2004.**

MY COMMISSION EXPIRES AUGUST 22, 2005

Notary Public

My Commission Expires: _____

CARRIE E. HUGHES NOTARY PUBLIC AT LARGE MAURY COUNTY, TENNESSEE