9.05

Davidson County DEEDWARR
Recvd: 04/22/04 12:17 3pgs
Fees:18.00 Taxes:1017.50
20040422-0045766

ADDRESS OF NEW OWNER &
SEND TAX BILLS TO:
KATHY R. BALLINGER
343 Cumberland Hills Drive
Madison, TN 37115

THIS INSTRUMENT WAS PREPARED BY:
KELLY & SMITH
LAW OFFICES
GALLATIN, TENNESSEE 37066

MAP AND PARCEL ID ~~0304003500~~
FIELD BOOK 10D-44005 03404003500

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **TWO HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 ($275,000.00) DOLLARS**, cash in hand paid, the receipt of which is hereby acknowledged, I, **GWEN STIDHAM**, a single person have this day bargained and sold and by these presents do hereby transfer and convey unto **KATHY R. BALLINGER** a married person, her heirs and assigns, the following described lot or parcel of land situated in the Davidson County, Tennessee, described as follows:

BEING Lot No. 1 on the plan of Phillips Ranch Subdivision as of record in Book 5060, page 35, in the Register's Office of Davidson County, Tennessee, described according to a survey made June 25, 1976 by William C. Abbott, Jr., as follows:

BEING a 3.42, more or less, acre tract of land lying in the 11th Councilmanic District of Davidson County, Tennessee; said tract further described as being a portion of the property Charles and E. R. Phillips as of record in Book 2300, page 87, Register's Office of Davidson County, Tennessee and more particularly described as follows:

BEGINNING at an existing concrete monument in the southerly margin of Cumberland Hills Drive, said monument further described as being the most northeasterly corner of Lot 36 on the plan of North Hill Estates, Section Four as of record in Book 3842, page 229, Register's Office of Davidson County, Tennessee; thence leaving the southerly margin of Cumberland Hills Drive North 54 deg. 41 min. 50 sec. West a distance of 25.20 feet to a point in the centerline of Cumberland Hills Drive; thence North 53 deg. 19 min. 50 sec. West a distance of 25.14 feet to point, said point further described as being the most southeasterly corner of Lot 35 on the plan of the said North Hills Estates, Section Four; thence North 42 deg. 36 min. East a distance of 356.79 feet to a point; thence South 47 deg. 24 min. East a distance of 497.26 feet to a point in the right of way of the L & N Railroad; thence with the right-of-way of the L & N Railroad in a southwesterly direction with curve having a radius of 3357.26 feet to the left, a distance of 226.91 feet to a point; thence leaving the right of way of the L & N Railroad North 57 deg. 47 min. 48 sec. West a distance of 40.96 feet to an existing iron pipe; thence South 59 deg. 42 min. 12 sec. West a distance of 82.18 feet to an existing iron pipe; thence North 54 deg. 41 min. 50 sec. West a distance of 338.82 feet to the point of beginning, containing 3.42, more or less, acres.

INCLUDED in the above description but expressly excluded therefrom is a 50 foot wide strip dedicated for road purposes, more particularly described as follows:

BEGINNING at an existing concrete monument, said monument

RT. Forsythe

being the most northeasterly corner of Lot 36 on the plan of North Hill Estates, Section Four; thence North 54 deg. 41 min. 50 sec. West a distance of 25.20 feet to a point in the centerline of Cumberland Hills Drive; thence North 53 deg. 19 min. 50 sec. West a distance of 25.14 feet to a point, said point further described as being the most southeasterly point of Lot 35 on the said plan of North Hill Estates, Section Four; thence North 42 deg. 36 min. East a distance of 356.79 feet to a point; thence South 47 deg. 24 min. East a distance of 50.00 feet to a point; thence South 42 deg. 36 min. West a distance of 351.00 feet to the point of beginning, containing 0.41, more or less, acres.

BEING the same property conveyed to Gwen Stidham, a single person by deed from Harry Edward Phillips and wife, Janice Phillips by deed of record in Book 6661, page 925, in the Register's Office of Davidson County, Tennessee.

This conveyance is made subject to Restrictions of record, if any.

TO HAVE AND TO HOLD the above described lot or parcel of land, together with all the improvements thereon and the appurtenances thereunto belonging, unto the said KATHY R. BALLINGER, a married woman, her heirs and assigns, in fee simple forever.

I COVENANT with the said GRANTEE that I am lawfully seized and possessed of the above-described lot or parcel of land, that I have a good right to convey same, and that the same is unencumbered, EXCEPT for 2004 real estate taxes, applicable zoning and building regulations and permits and all visible easements.

I FURTHER COVENANT with the said GRANTEES and bind myself, my heirs and legal representatives, to warrant and forever defend the title to said lot or parcel of land, unto the said **KATHY R. BALLINGER**, her heirs and assigns, against all lawful claims of all persons whomsoever; EXCEPT as hereinabove set forth.

WITNESS my hand this the 31st day of March, 2004.

Gwen Stidham

GWEN STIDHAM

STATE OF TENNESSEE

COUNTY OF SUMNER

PERSONALLY appeared before me, the undersigned, a Notary Public in and for said

County and State, the within named GWEN S TIDHAM, the bargainor, with whom I am personally acquainted and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal on this the 31 day of March, 2004.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 7-21-04

OATH

STATE OF TENNESSEE

COUNTY OF SUMNER

I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is **$275,000.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

AFFIANT

SUBSCRIBED and sworn to before me, this the 31st day of March, 2004.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-14-06