WARRANTY DEED

Davidson County DEEDWARR
Recvd: 04/29/04 13:10 2pgs
Fees:13.00 Taxes:2442.00

20040429-0048752

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $660,000.00

Melissa R. Sanders
Affiant

Subscribed and sworn to me on April 21, 2004.

Kaylie Lord Sanders
NOTARY PUBLIC

THIS INSTRUMENT WAS PREPARED BY:
David B. Herbert
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #20022SP

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Frank Shular Luci Shular 1617 Ash Valley Drive Nashville, TN 37215	SAME	131-13-46

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Charles K. Kirby and wife, Lenora F. Kirby, hereinafter called **"GRANTORS,"** have bargained and sold, and by these presents do transfer and convey unto Frank Shular and wife, Luci Shular, hereinafter called **"GRANTEES,"** their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Lot No. 2 on the revised plan of Subdivision of Lot 7 and a portion of Lot 6, Westwood Subdivision, of record in Book 5190, page 403, re-recorded in Book 5190, page 435, in the Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete and accurate description.
>
> Being the same property conveyed to Charles K. Kirby and wife, Lenora F. Kirby, by Deed from Donald L. Holmquest and wife, Ann N. James, of record in Book 10998, page 628, in the Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2004 Davidson County taxes which have been prorated by the parties and assumed by the Grantees; and
2. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property; and
3. Matters shown on plan of record in Book 5190, page 403, re-recorded in Book 5190, page 435, in the Register's Office for Davidson County, Tennessee.

This property is also known as improved property located at 1617 Ash Valley Drive, 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 GRANTORS do covenant with the said GRANTEES that they are lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTORS do further covenant and bind themselves, their 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 persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands on April 21, 2004.

Charles K. Kirby

Lenora F. Kirby

STATE OF TENNESSEE, COUNTY OF DAVIDSON

On April 21, 2004, before me personally appeared Charles K. Kirby and Lenora F. Kirby to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal on April 21, 2004.

NOTARY PUBLIC

DAVID B. HERBERT NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC AT LARGE David B. Herbert My Commission Expires January 29, 2005 STATE OF TENNESSEE

My Commission Expires: _____