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. 22796-04-2004** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $400,000.00. Affiant Subscribed and sworn to before me this 7th day of May, 2004. Notary Public My Commission Expires July 30, 2005

NOTARY PUBLIC AT LARGE J. Michael Morgan My Commission Expires July 30, 2005 STATE OF TENNESSEE

NOTARY PUBLIC J. MICHAEL MORGAN DAVIDSON COUNTY, TENN. AT LARGE

WARRANTY DEED

Address New Owner: Thomas Wayne Banks, Jr., Kimberly F. Banks 4144 Brandywine Pointe Blvd. Old Hickory, TN 37138	**Send Tax Bills To:** New Owners	**Tax Information:** Map No.064.03-0B Parcel No. 036.00 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, **John M. Ray and wife, Phyllis J. Ray**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Thomas Wayne Banks, Jr. and wife, Kimberly F. Banks** ("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 4144 Brandywine Pointe Blvd., Old Hickory, TN 37138

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 7th day of May, 2004.

John M. Ray

Phyllis J. Ray

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **John M. Ray and Phyllis J. Ray**, 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 7th day of May, 2004.

Notary Public

My Commission Expires: _____

NOTARY PUBLIC J. MICHAEL MORGAN DAVIDSON COUNTY, TENN. AT LARGE

NOTARY PUBLIC AT LARGE J. Michael Morgan My Commission Expires July 30, 2005 STATE OF TENNESSEE

Davidson County DEEDWARR
Recvd: 05/11/04 11:30 2pgs
Fees:13.00 Taxes:1480.00

20040511-0053777

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 223 on the Plan of Resubdivision of Lots 221, 222 and 223 on The Final Plat of Phase Three Section One Brandywine Pointe, as of record in Plat Book 9700, page 181, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to John M. Ray and wife, Phyllis J. Ray by deed dated 7/31/97 from David Morris and wife, Susan Morris of record in Book 10558, Page 378 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 Grantees .
2. Declaration of Covenants, Conditions and Restrictions for Brandywine Pointe Subdivision of record in Book 8120, page 188, amended in Book 8671, page 484, and in Book 9010, page 627, 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).
3. Amendment to By-Laws of Brandywine Pointe Community Association, Inc. of record in Book 10721, Page 835, Register's Office for Davidson County, Tennessee.
4. Charter of Incorporation of Brandywine Pointe Community Association, Inc. of record in Book 9013, page 39, and in Book 9117, page 77, Register's Office for Davidson County, Tennessee.
5. All matters appearing on the Plan of record in Book 9700, page 181, Register's Office for Davidson County, Tennessee.