(5)

This Instrument Prepared By:
Heritage Title & Escrow Co., Inc.
123 Fifth Ave. North
Franklin, TN 37064

Map & Parcel **142-16-D-9 CO**

Send Tax Statements To:	Name/Address New Owner:	Name of Mortgagee:
ROBERT D. ABNEY and wife, GISELA ABNEY	**ROBERT D. ABNEY and wife, GISELA ABNEY**	**NONE**
2509 Devon Valley Drive	**2509 Devon Valley Drive**	
Nashville, TN 37221	**Nashville, TN 37221**	

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **(Ten Dollars)**, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, **MICHELLE SUTTON CARDWELL, formerly MICHELLE NIXON SUTTON**, married, have bargained and sold and by these presents do transfer and convey unto **ROBERT D. ABNEY and GISELA ABNEY, Husband and Wife as Tenants by the Entirety, their** heirs and assigns forever, the following described property, to wit:

Land in Davidson County, Tennessee, being Lot No. 38, on the Plan of Devon Valley, Phase I, a Planned Unit Development, as of record in Book 7900, page 458, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description of said lot.

Being the same property conveyed to Michelle Nixon Sutton dated April 22, 2003 by deed from Don N. Brown of record in Instrument No. 20030424-0055441, Register's Office for Davidson County, Tennessee.

Davidson County DEEDWARR
Recvd: 05/13/04 11:56 2pgs
Fees:13.00 Taxes:806.60
20040513-0055908

TO HAVE AND TO HOLD said tract of land, together with all improvements thereon and all appurtenances thereunto belonging unto the said Grantees, their heirs and assigns forever.

AND I DO COVENANT with the said Grantees, their heirs and assigns, that Grantor is lawfully seized and possessed of said property, that I have a good and lawful right to sell and convey same, and that it is free from any lien or encumbrance whatsoever with the following exceptions:

1. 2004 Davidson County property taxes are a lien but are not yet due and payable. These taxes have been prorated between the parties as of the date of this instrument, with Grantees assuming responsibility for payment of the same.

2. All matters as shown on the Plan of Devon Valley of record in Plat Book 7900, page 458, Register's Office for Davidson County, Tennessee.

3. Restrictive covenants of record in Book 7517, page 283, as amended in Book 7517, page 367, Book 8180, page 222, Book 8712, page 618, Book 8712, page 620, Book 8796, page 410, Book 8796, page 416, Book 9150, page 182, Book 9492, page 594, Book 9492, page 600, and Book 10692, page 750, Register's Office for Davidson County, Tennessee.

4. Right-of-way easement of record in Book 2544, page 385, Register's Office for Davidson County, Tennessee.

5. Easement of record in Book 4594, page 650, Register's Office for Davidson County, Tennessee.

6. Storm Water Detention Agreement of record in Book 8643, page 494, Register's Office for Davidson County, Tennessee.

AND I DO FURTHER COVENANT and bind myself, my heirs and assigns, to warrant and defend the title thereto against the lawful claims and demands of all persons whomsoever.

Greg Cardwell, husband of Michelle Sutton Cardwell, joins in the execution of this instrument to convey all right, title and interest he may have in the subject property by virtue of his marriage to Michelle Sutton Cardwell.

IN TESTIMONY WHEREOF, we have hereunto set our signatures, this the **11th** day of **May, 2004**.

Michelle Sutton Cardwell
MICHELLE SUTTON CARDWELL

Greg Cardwell
GREG CARDWELL
By Michelle Sutton Cardwell
MICHELLE SUTTON CARDWELL
Atty-in-fact, of record in
Instrument No. 200405130055907
R.O. D.C., Tennessee

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

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

WITNESS my hand and seal, at office, on this **11th** day of **May, 2004**.

My Commission Expires:
1/16/08

J. SUSAN DUFF NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

J. Susan Duff
Notary Public

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

On this 11th Day of May, 2004, before me personally appeared **MICHELLE SUTTON CARDWELL**, to me known (or proved to me on the basis of satisfactory evidence), to be the person who executed the foregoing instrument on behalf of **GREG CARDWELL**, and who acknowledged that she executed the same as the free act and deed of the said **GREG CARDWELL**.

WITNESS my hand and seal, at office, on this **11th** day of **May, 2004.**

My CommissionExpires:
1/16/08

J. SUSAN DUFF NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

J. Susan Duff
Notary Public

STATE OF TENNESSEE
COUNTY OF **WILLIAMSON**

I certify that the actual consideration or value, whichever is greater, for this transfer is the sum of **$218,000.00**.

Robert D. Avery
Affiant

Sworn to and subscribed before me on this **11th** day of **May, 2004**.

My Commission Expires:
1-16-08

J. SUSAN DUFF NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

J. Susan Duff
Notary Public