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. 22529-03-2004** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $458,000.00. Karen C. Ahern Affiant Subscribed and sworn to before me this 10th day of May, 2004. Notary Public My Commission Expires:

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires SEPT. 25, 2004

WARRANTY DEED

Address New Owner: Karen C. Ahern Lawrence R. Ahern III 33 Foxhall Close Nashville, TN 37215	**Send Tax Bills To:** **AmSouth Bank** **P.O. Box 57046** **Irvine, CA 92619-7046**	**Tax Information:** Map No. 117-09-0A Parcel No. 033.00 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, **David Spencer Elrod and wife, Patricia Ladd Elrod**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Karen C. Ahern and husband, Lawrence R. Ahern III** ("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 33 Foxhall Close, Nashville, TN 37215

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 10th day of May, 2004.

David Spencer Elrod

Patricia Ladd Elrod

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **David Spencer Elrod and Patricia Ladd Elrod**, 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 10th day of May, 2004.

Notary Public

My Commission Expires:

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires SEPT. 25, 2004

Davidson County DEEDWARR
Recvd: 05/13/04 14:45 2pgs
Fees:13.00 Taxes:1694.60

20040513-0056231

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 33 on the Plan of Foxhall Close, as of record in Plat Book 4860, page 46, amended in Book 5005, page 136, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to David Spencer Elrod and wife, Patricia Ladd Elrod, by deed dated, June 13, 2000 from Jeanne Plas of record as Instrument No. 200006160060389, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 City/County Taxes which have been prorated by the parties and assumed by the Grantee(s).
2. Declaration of Covenants, Conditions and Restrictions for Foxhall Close of record in Book 4954, page 586, amended in Book 5832, page 378 and in Book 5875, page 873, 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. Charter of Incorporation of Foxhall Close Co-Operative Corporation of record in Book 5147, page 812, amended in Book 5842, page 860, Register's Office for Davidson County, Tennessee.
4. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 6897, page 51, Register's Office for Davidson County, Tennessee.
5. Easement of record in Book 3401, page 545, Register's Office for Davidson County, Tennessee.
6. Easement of record in Book 4844, page 826, Register's Office for Davidson County, Tennessee.
7. Easement of record in Book 3947, page 20, Register's Office for Davidson County, Tennessee.
8. All matters appearing on the Plan of record in Plat Book 4860, page 46, amended in Book 5005, page 136, Register's Office for Davidson County, Tennessee.