This Instrument Prepared by:
Frontier Title & Escrow, Inc
109 C East Avenue
Goodlettsville, TN 37072

MAP: 094-02-0
PARCEL: 058.00
GROUP:

New Owners Address
Send Tax Bills to Same Address:
Rodney Killion
822 Lamont Dr.
Nashville, TN 37216

Davidson County DEEDWARR
Recvd: 05/28/04 08:19 3pgs
Fees:18.00 Taxes:185.00
20040528-0062809

WARRANTY DEED

THIS INDENTURE, made this 19th day of May, 2004 between

Betty F. Brown and Peggy Merrell and Jerry Penick and Anthony Penick and Phillip Penick and Jeffrey Penick and Dawn Penick McCasland

hereinafter referred to as **Grantor**, and

Rodney Killion and Fay Witcher II, as tenants in common

hereinafter referred to as **Grantee**.

WITNESSETH: that said Grantor, for and in consideration of the sum of ONE AND 00/100 DOLLAR ($1.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and does hereby grant, bargain, sell and convey unto the said Grantee the following described premises situated in Davidson County, Tennessee, to wit:

Land in Davidson County, Tennessee, being Lot No. 128 on the plan of The United Electric Railway's Subdivision, as of record in Book No. 161, page 8, Register's Office for said County.

Said Lot No. 128 fronts 65 feet on the Northerly side of East side, formerly Ashworth Avenue and runs back between parallel lines with the Easterly margin of 17th Street, 150 feet to an alley.

This being the same property conveyed to Milburn W. Penick and wife, Maudie Moss Penick by Warranty Deed dated 1/30/1950 from William John Grossholz and wife, Gladys Lampley Grossholz of record in Book 1787, Page 41 Register's Office Davidson County, Tennessee.

The said Milburn W. Penick predeceased Maudie Moss Penick who died 12/17/2003 intestate, her estate having been filed for Probate in the Probate Court for Davidson County Tennessee, Probate Case Number 04P646.

THIS CONVEYANCE is made subject to restrictive covenants, easements, and setback lines that are applicable to the above described property, and of record, and to all zoning and subdivision restrictions of the appropriate governmental body.

The above description is the same as the previous deed of record, no boundary survey having been made at the time of this conveyance.

TO HAVE AND TO HOLD the said real estate, together with all of the appurtenances, estate, title, and interest thereunto belonging unto the said Grantee, his/her heirs and assigns forever.

And said Grantor does hereby covenant with said Grantee, that Grantor is lawfully seized in fee simple of the premises above conveyed and has full power, authority and right to convey the same, and that said premises are free from all encumbrances except the 2004 real property taxes which are to be prorated between the parties and which Grantee assumes and agrees to pay, and that Grantor will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever.

Whenever in this instrument a pronoun is used it shall be construed to represent either singular or plural, as the case may demand.

IN WITNESS WHEREOF, the said Grantor hereunder sets his/her hand and seal the day and year first above written.

Betty F. Brown
Betty F. Brown

Peggy Merrell by Betty F. Brown
Peggy Merrell by Betty F. Brown, Attorney in Fact

Jerry Penick by Betty F. Brown
Jerry Penick by Betty F. Brown, Attorney in Fact

Anthony Penick by Betty F. Brown
Anthony Penick by Betty F. Brown, Attorney in Fact

Phillip Penick by Betty F. Brown
Phillip Penick by Betty F. Brown, Attorney in Fact

Jeffrey Penick by Betty F. Brown
Jeffrey Penick by Betty F. Brown, Attorney in Fact

Dawn Penick McCasland by Betty F. Brown
Dawn Penick McCasland by Betty F. Brown, Attorney in Fact

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Betty F. Brown the within named 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 official seal at office this 19th day of May, 2004.

Notary Public

My Commission Expires: 9/30/06

NOTARY PUBLIC

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 19th day of May 2004, before me personally appeared Betty F. Brown to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument for the purpose therein contained in behalf of Peggy Merrell acknowledged that such person executed the same as the free act and deed of Peggy Merrell.

Notary Public

My Commission Expires: 9/30/06

NOTARY PUBLIC

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 19th day of May 2004, before me personally appeared Betty F. Brown to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument for the purpose therein contained in behalf of Jerry Penick acknowledged that such person executed the same as the free act and deed of Jerry Penick.

Notary Public

My Commission Expires: 9/30/06

NOTARY PUBLIC

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 19th day of May 2004, before me personally appeared Betty F. Brown to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument for the purpose therein contained in behalf of Anthony Penick acknowledged that such person executed the same as the free act and deed of Anthony Penick.

Notary Public My Commission Expires: 9/30/06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 19th day of May 2004, before me personally appeared Betty F. Brown to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument for the purpose therein contained in behalf of Phillip Penick acknowledged that such person executed the same as the free act and deed of Phillip Penick.

Notary Public My Commission Expires: 9/30/06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 19th day of May 2004, before me personally appeared Betty F. Brown to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument for the purpose therein contained in behalf of Jeffrey Penick acknowledged that such person executed the same as the free act and deed of Jeffrey Penick.

Notary Public My Commission Expires: 9/30/06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 19th day of May 2004, before me personally appeared Betty F. Brown to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument for the purpose therein contained in behalf of Dawn Penick McCasland acknowledged that such person executed the same as the free act and deed of Dawn Penick McCasland.

Notary Public My Commission Expires: 9/30/06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater, is $50,000.00.

Betty F. Brown
Affiant

Sworn to and subscribed before me, this 19th day of May, 2004.

Notary Public My Commission Expires: 9/30/06