39-B

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. 22244-01-2004** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $.220,000.00 X _____ Affiant Subscribed and sworn to before me this 27th day of May, 2004. _____ Notary Public My Commission Expires: 7-30-05

WARRANTY DEED

Address New Owner: Adam Schaefer, Heidi Schaefer 6712 Boundary Run Drive Nashville, TN 37221	**Send Tax Bills To:** Suntrust Mortgage, Inc. 201 4th Ave. N/7th Floor Nashville, Tn 37219	**Tax Information:** Map No.126.16 Parcel No. 099.00 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, **Catherine Utian and husband Craig Utian**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Adam Schaefer and wife, Heidi Schaefer** ("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 6712 Boundary Run Drive, Nashville, TN 37221

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 27th day of May, 2004.

Catherine Utian by Eugene Julian Winter AIF — Craig Utian by Eugene Julian Winter AIF

Catherine Utian
By Eugene Julian Winter as her Attorney in Fact

Craig Utian
By Eugene Julian Winter, as his Attorney in Fact

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned, of the State and County aforesaid, personally appeared Eugene Julian Winter with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument on behalf of **Catherine Utian and Craig Utian**, as their Attorney-In-Fact, and as the free act and deed of the within **Catherine Utian and Craig Utian**, as their Attorney in Fact.

Witness my hand and official seal, at office in Nashville, Tennessee, this 27th day of May, 2004.

_____
Notary Public

My Commission Expires: _____

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

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

Cathrine Utian and Craig Utian gave Power of Attorney to Eugene Julian Winter by Limited Power of Attorney of record as Instrument # 20040123-0009020, RODC.

Davidson County DEEDWARR
Recvd: 06/02/04 15:52 2pgs
Fees:13.00 Taxes:814.00

20040602-0064842

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot. No. 99 on the Plan of Riverwalk Phase 1A, Section 1 and Phase 1B Section 1, as of record in Plat Book Instrument No. 20011026-0117231, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Catherine Utian and husband Craig Utian by deed dated 1/29/2003 from The Craig Company, a Tennessee Corporation of record as Instrument No. 20030210-0018210, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 County Taxes which have been prorated and assumed by the Grantees.
2. Deed of Trust executed by Catherine Utian etvir Craig Utian to Arnold M. Weiss, Trustee for Countrywide Home Loans, Inc., in the amount of $160,000.00, recorded on February 10, 2003 as Instrument No. 20030210-0018211, in the Davidson County Register's Office, Tennessee;
3. Declaration of Covenants, Conditions By-Laws and Retrictions for Riverwalk, of record in Instrument No. 20011105-0121083, amended in Instrument No. 20020424-0050565 , 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 to handicap, but does not discriminate against handicapped persons);
4. Dedication of common area to Riverwalk Homeowners' Association, Inc. of record in Instrument No. 20020424-0050564, Register's Office for Davidson County, Tennessee;
5. Charter of Incorporation of Riverwalk Homeowners' Association, Inc. of record in 20020425-0051371, Register's Office for Davidson County, Tennessee.
6. Easement for road and utility access of record in Instrument No. 20010706-0072536, Register's Office for Davidson County, Tennessee.
7. Easement for transmission line of record in Book 4257, page 647, Register's Office for Davidson County, Tennessee.
8. Easement for right of way of record in Book 4205, page 194 and in Book 4226, page 715, Register's Office for Davidson County, Tennessee.
9. Easement of record in Book 513, page 396, Book 751, page 375 and in Book 787, Page 7, Register's Office for Davidson County, Tennessee.
10. Easement to Harpeth Valley Utility District for Williamson and Davidson Counties, Tennessee, of record in Book 7526, pages 315, 318 and 324, Register's Office for Davidson County, Tennessee.
11. Landscape Agreement recorded in Instrument No. 20010919-0101280, Register's Office for Davidson County, Tennessee.
12. Storm water detention agreement of record in Instrument No. 20010919-0101279, , Register's Office for Davidson County, Tennessee.
13. All matters appearing on the Plan of record as Instrument No. 20011026-0117231, Register's Office for Davidson County, Tennessee.
14. All matters appearing of record on the Plan of record in Book 1, Pages 25 and 121 and in Instrument No. 20011024-0115969, Register's Office for Davidson County, Tennessee.;