Davidson County DEEDWARR
Recvd: 06/04/04 15:02 2pgs
Fees:13.00 Taxes:1109.63
20040604-0066349

THIS INSTRUMENT PREPARED BY:
Gail P. Pigg, Attorney
219 Second Avenue, North
First Floor Suite
Nashville, Tennessee 37201

OWNER(S) ADDRESS AS FOLLOWS:	SEND TAX BILLS TO:	MAP & PARCEL NO.
James Randall Durham and wife, Tammy Durham	New Owner	Map: 160-15-C
5601 Cloverland Dr., Unit 128		Parcel: 23
Brentwood, TN 37027		

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named GRANTEES, and other good and valuable consideration, the receipt of which is hereby acknowledged, we,

HAURY AND SMITH CONTRACTORS, INC.

a Tennessee Corporation, hereinafter called the GRANTORS, having bargained and sold, and by these presents do transfer and convey unto,

JAMES RANDALL DURHAM AND WIFE, TAMMY DURHAM

hereinafter called the GRANTEES, their heirs and assigns, a certain condominium apartment in Davidson County, State of Tennessee, described as follows, to wit:

Unit No. 128 in CLOVERLAND HALL, a Horizontal Property Regime, located at the corner of Old Hickory Boulevard, Cloverland Drive and Valley View Road, Brentwood, Davidson County, Tennessee, as shown on the plat of Cloverland Hall, recorded in Instrument No. 20021101-0134432, Register's Office for Davidson County, Tennessee, and described in a Master Deed recorded in Instrument No. 20021105-0135643, Register's Office for Davidson County, Tennessee, to which document reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon and relating to the apartments, property, co-owners and tenants of Cloverland Hall, Condominium Apartments, contained in said Master Deed and By-Laws appended thereto, recorded in Instrument No. 20021105-0135643, Register's Office for Davidson County, Tennessee, are incorporated in this deed by reference and made a part hereof the same as though copied herein.

BEING part of the same property conveyed to Haury and Smith Contractors, Inc. by deeds from W.J. Vaughn et ux, Joy L. Vaughn and Lynda Ellen Buford Nagy of record in Instrument Nos. 20020425-0051034 and 20020425-0051035, Register's Office for Davidson County, Tennessee, respectively.

EXCLUDED FROM THE COVENANTS OF WARRANTY OF THIS DEED ARE:

1. Taxes for 2004;

2. Plat of record in Instrument No. 20021101-0134432, Register's Office for Davidson County, Tennessee, shows an Owner's Certificate, certain notes, easements and setback lines; and all matters shown on said Plat;

3. Public Utilities and Drainage easements of record in Instrument No. 20021101-0134432, Register's Office for Davidson County, Tennessee, including stormwater detention agreement of record in Instrument No. 20020925-0116817, Register's Office for Davidson County; and public utility easement of record in Deed Book 7868, page 956, Register's Office for Davidson County, Tennessee.

4. Subject to the Master Deed and By-Laws for Cloverland Hall, Horizontal Property Regime, of record in Instrument No. 20021105-0135643, Register's Office for Davidson County, Tennessee, and all easements, conditions and restrictions conta1ined therein, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions would violate 42 U.S.C. 3604(c).

This is improved property known as 5601 Cloverland Dr., Unit 128, Brentwood, Tennessee 37027.

TO HAVE AND TO HOLD the same tract or parcel of land with appurtenances, estate, title and interest thereto belonging to said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said unit in fee simple, have good right to convey it, and the same is unencumbered, except as hereinabove set forth; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said unit to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever except as set forth above. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this 12th day of May, 2004.

HAURY AND SMITH CONTRACTORS, INC.

BY: _____

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared WAYNE MORRISON with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and, who, upon oath, acknowledged himself to be the Vice-President of **HAURY AND SMITH CONTRACTORS, INC.** the within named bargainor, a corporation, and that he executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by the said WAYNE MORRISON as Vice-President.

WITNESS my hand and seal at office in Nashville, Tennessee, this 12th day of May, 2004.

_____
NOTARY PUBLIC

GAIL PIGG NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My commission expires: May 30, 2004.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer or value of property (whichever is greater) is $ 299,900.00.

_____

Sworn to and subscribed before me this 12th day of May, 2004.

_____
NOTARY PUBLIC

GAIL PIGG NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My commission expires: May 30, 2004.