39-B

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|---|---|
| **THIS INSTRUMENT PREPARED BY:**<br>**Mudter Morgan & Patterson**<br>**Attorneys-at-Law**<br>**2000 Richard Jones Road**<br>**Suite 110**<br>**Nashville, Tennessee 37215**<br><br>**Record & Return To:**<br>**First Title & Escrow Co., Inc.**<br>**FTEC File No. 22682-04-2004** | STATE OF TENNESSEE, COUNTY OF DAVIDSON:<br>The actual consideration or value, whichever is greater, for this transfer is: $350,000.00.<br>Affiant<br>Subscribed and sworn to before me this 4th day of June, 2004.<br>Notary Public<br>My Commission Expires: My Commission Expires SEPT. 25, 2004 |

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

# WARRANTY DEED

| **Address New Owner:** | **Send Tax Bills To:** | **Tax Information:** |
|---|---|---|
| Charles T. Upchurch<br>Dana K. Freda<br>924 Wilson Boulevard<br>Nashville, TN 37215 | Bank of America<br>9000 Southside Blvd.<br>Jacksonville, FL 32256 | Map No.116.08-0<br>Parcel No. 153.00 |

**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, **Maxwell E. Fisher and wife, Meredith M. Fisher**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Charles T. Upchurch and Dana K. Freda, married** ("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 924 Wilson Boulevard, 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 4th day of June, 2004.

Maxwell E. Fisher

Meredith M. Fisher, BY: Maxwell E. Fisher, Attorney-In-Fact

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Maxwell E. Fisher**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 4th day of June, 2004.

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires:

Notary Public

My Commission Expires SEPT. 25, 2004

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **Maxwell E. Fisher**, with whom I am personally acquainted, and who acknowledged that HE executed the within instrument for the purposes therein contained, and who further acknowledged that HE is the Attorney-in-Fact for the said **Meredith M. Fisher** and is authorized by the said **Meredith M. Fisher** to execute this instrument on HER behalf.

Witness my hand, at Office, this 4th day of JUNE, 2004.

GEORGE E. MUDTER, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires SEPT. 25, 2004

Davidson County DEEDWARR
Recvd: 06/07/04 14:57 2pgs
Fees:13.00 Taxes:1295.00

20040607-0067102

# EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 32 on the Plan of Woodmont Park Subdivision as of record in Plat Book 547, page 148, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Maxwell E. Fisher and wife, Meredith M. Fisher by deed dated July 31, 2000 from Maxine M. McCrary and husband, William S. McCrary, Jr. of record as Instrument No. 20000801-0075945, 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. All matters appearing on the Plan of record in Book 547, page 148, Register's Office for Davidson County, Tennessee.