39-B

# WARRANTY DEED

Davidson County DEEDWARR
Recvd: 06/07/04 15:02 2pgs
Fees:13.00 Taxes:675.25

20040607-0067106

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $182,500.00.

Affiant

Subscribed and sworn to me on 6/4/03

NOTARY PUBLIC

JORETTA F. NORTH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

THIS INSTRUMENT WAS PREPARED BY:
Todd A. Bricker
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #

| NAME/ADDRESS OF NEW OWNER: | SEND TAX BILLS TO: | MAP – PARCEL # |
|---|---|---|
| Robert A. DuBose<br>3161 Parthenon Avenue, Unit 102<br>Nashville, TN 37203 | SAME | PART OF-104-2-93 |

**FOR AND IN CONSIDERATION** of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Parthanon Partners, LLC, a Tennessee limited liability company, hereinafter called **"GRANTORS,"** have bargained and sold, and by these presents do transfer and convey unto Robert A. DuBose, unmarried, hereinafter called **"GRANTEES,"** their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

A certain condominium apartment in Davidson, Tennessee, being Unit 102, of the Parthenon Park Townhomes, Phase 1 and Phase 2, as established by the Master Deed of record as Instrument No. 20040514-0056982, Register's Office for Davidson County, Tennessee, pursuant to Title 66, Chapter 27, Sections 101, et seq., as amended, of the Tennessee Code Annotated, of record as Exhibit "E" of said Master Deed, to which reference is hereby made for a more complete description of said units.

Being a part of the same property conveyed to Parthanon Partners, LLC, a Tennessee limited liability company, by Warranty Deed dated June 6, 2003 from William T. Hesson and wife, Margaret L. Hesson, of record as Instrument No. 20030610-0080100, Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2004 Davidson County taxes which have been prorated by the parties and assumed by the Grantees; and
2. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property; and
3. The premises herein described is a condominium apartment established pursuant to the provisions of the Tennessee Horizontal Property Act as the same is set out in Section 66-27-101, et seq. of the Tennessee Code Annotated, and is subject to the provisions and requirements thereof; and is subject to the By-Laws for the administration thereof; also subject to easements, rights and interests in favor of other unit owners, and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through or upon the land embracing the regime and buildings thereof; and also including, without limitation, all conditions, covenants, restrictions, options, burdens, assessments and other undertakings contained in the Master Deed establishing a Horizontal Property Regime of Parthenon Park Townhomes Condominiums of record as Instrument No. 20040514-0056982, Register's Office for Davidson County, Tennessee.

4. Charter of the Parthenon Park Townhomes Owner's Association, Inc., of record as Instrument No. 20040514-0056981, Register's Office for Davidson County, Tennessee.
5. Subject to Urban Zoning Overlay of record as Metro Ordinance No. BL2000-364, made applicable by Ordinance No. BL-2000-476, of record in the Metropolitan Clerk's Office for Davidson County, Tennessee.
6. Subject to the rights of others in and to the common areas/elements.
7. Subject to the lien for special assessments contained in the Master Deed and By-Laws as specified above.

This property is also known as improved property located at 3161 Parthenon Avenue, Unit102, Nashville, TN 37203.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns, forever, and GRANTORS do covenant with the said GRANTEES that they are lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTORS do further covenant and bind themselves, their heirs and assigns, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. 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 on June 2, 2004.

**PARTHANON PARTNERS, LLC,**
**A Tennessee limited liability company**

**By:** _____
**Christopher P. Marchetti, Chief Manager**

**STATE OF TENNESSEE)**
**COUNTY OF DAVIDSON)**

Before me, the undersigned, a Notary Public of said County and State, personally appeared Christopher P. Marchetti, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Chief Manager (or other officer authorized to execute the instrument) of Parthanon Partners, LLC, a Tennessee limited liability company, the within named bargainor, a limited liability company, and that he as such Chief Manager executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as Chief Manager.

Witness my hand and official seal on June 2, 2004.

TODD A. BRICKER NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Todd A. Bricker
My Commission Expires
May 28, 2006
STATE OF TENNESSEE

_____
NOTARY PUBLIC

My Commission Expires: _____