Davidson County DEEDWARR
Recvd: 06/30/04 12:30 2pgs
Fees:13.00 Taxes:773.30

20040630-0077706

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $209,000.00

Affiant

Sworn to and subscribed before me, the undersigned, a Notary Public this 29 day of June, 2004.

Notary Public

My Commission Expires: 11-22-05

DONALD R. BARRETT, JR. NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY
Sidwell & Barrett, P.C.
121 First Avenue South
Suite 200
Franklin, TN 37064

ADDRESS NEW OWNER(S) AS FOLLOWS:
Albert Gibbens and Loretta Gibbens
5237 Timber Gap Drive
Nashville, Tennessee 37221

SEND TAX BILLS TO:
NEW OWNER

MAP-PARCEL NUMBERS:
155-160-A-062.00CO

For and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid by the Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **John F. DeFrancisco and Karen L. Tedesco, husband and wife** hereinafter referred to as Grantors, hereby transfers and conveys to **Albert Gibbens and wife, Loretta Gibbens** hereinafter referred to as Grantees, their heirs and assigns a certain tract or parcel of land in Davidson County, State of Tennessee described as follows, TO WIT:

Land in Davidson County, Tennessee, being Lot. No. 75 on the Plan of Traceside Section Two, of record in Book 7900, Page 705 and Book 7900, Page 980 and 981, Register's Office for said County, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to John F. DeFrancisco and Karen L. Tedesco, husband and wife, of record at Instrument No. 20010615-0063730, Register's Office for Davidson County, Tennessee, dated June 4, 2001.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

The Plan of record in Plat Book 7900, Page 705 and Book 7900, Page 980 and 981, Register's Office for Davidson County, Tennessee.

Restrictive covenants contained in an instrument of record in Book 9236, Page 504, Book 9435, Page 493, Book 9677, Page 675, at Instrument No. 200201110004996 and 200201160006610, Register's Office for Davidson County, Tennessee.

By-Laws of record in Book 9668, Page 899, Register's Office for Davidson County, Tennessee.

HOA Charter of record in Book 9668, Page 894, Register's Office for Davidson County, Tennessee.

Conveyance of common area of record at Instrument No. 2000 032900 31450 and 2000 032900 31454 Register's Office for Davidson County, Tennessee.

Landscape agreement of record in Book 10355, Page 859, Register's Office for Davidson County, Tennessee.

POA of record at Instrument No. 2001 061500 6373, Register's Office for Davidson County, Tennessee.

Any and all visible easements lying on or across the property.

Rights or claims of parties in possession not shown by the public records.

Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.

County and/or City taxes for the year 2004, a lien not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with the GRANTORS paying their prorata share thereof to GRANTEES who will be responsible for payment of said taxes.

This is improved property known as 5237 Timber Gap Drive, Nashville, Tennessee 37221.

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 I do covenant with the said **GRANTEES** that I am lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and I do further covenant and bind myself, my heirs and representatives, 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 my hand this 25 day of June, 2004.

John F. DeFrancisco

Karen L. Tedesco

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named John F. DeFrancisco and Karen L. Tedesco, husband and wife, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged they executed the forgoing instrument for the purposes therein contained.

Witness my hand and official seal this 25 day of June, 2004.

Notary Public

My Commission Expires: 11/22/05

DONALD R. GARRETT, JR. NOTARY PUBLIC WILLIAMSON COUNTY, TN

10631-BW