#04-0311

PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

Davidson County DEEDWARR
Recvd: 07/07/04 09:32 3pgs
Fees:18.00 Taxes:303.40
20040707-0080390

WARRANTY DEED

THIS INDENTURE is made and entered into this 1st day of July, 2004, by and between WALTER H. CARTER, A MARRIED MAN, hereinafter called Grantor, and HYMER ENTERPRISES INC., A TENNESSEE CORPORATION, married, hereinafter called Grantee.

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which are hereby acknowledged, WALTER H. CARTER, A MARRIED MAN, as Grantor, does hereby bargain, sell, transfer and convey unto HYMER ENTERPRISES INC., A TENNESSEE CORPORATION, hereinafter referred to as Grantee, its successors and assigns, all of that certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantor in and to all buildings and fixtures located on said real estate, and any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (collectively, the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is improved property known as 326-328 SCALF DRIVE, MADISON, TN 37115.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, its successors and assigns forever. The Grantor covenants and agrees with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantor further covenants and binds himself and his successors, heirs and assigns, to warrant and forever defend the title to said Grantee, his successors, heirs and assigns, against the lawful claims of all person whomsoever.

DIANE Y. CARTER, wife of WALTER H. CARTER, the Grantor herein, joins in the herein conveyance for the sole purpose of conveying any right, title and interest she may have in and to the property described herein, marital or otherwise.

WITNESS the hand and seal of Grantor on the day and year first above written.

WALTER H. CARTER
Signature of Seller

Diane Y. Carter
Diane Y. Carter,
Signature of Seller Spouse

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **WALTER H. CARTER and HIS WIFE, DIANE Y. CARTER,** the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this **1st** day of **July, 2004.**

Notary Public

My Commission Expires: 5/24/2008

Name and Address of Property Owner:

HYMER ENTERPRISES INC., A TENNESSEE CORPORATION

107 FANNIN DRIVE
GOODLETTSVILLE, TN 37072

Property Address:

326-328 SCALF DRIVE
MADISON, TN 37115

Person Responsible for Taxes:

SAME

Map & Parcel #: MAP 43-7, PARCEL 2

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$82000** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this **1st** day of **July, 2004.**

Notary Public

My Commission Expires: 5/24/2008

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 04-0311

EXHIBIT 'A'

Being Lot 1423 on the Map of the subdivision of Tracts 1 and 13 of the Anderson Estates the latter being of record in Book 1130, page 37, Register's Office for Davidson County, Tennessee, and described according to a survey made by Anderson and Gee, Surveyors, August 5, 1964, and being further described according to a survey by John Kohl and Company dated December 7, 1984, as follows:

Beginning on the easterly margin of Scalf Drive at the corner of Lots 141 and 142, thence with a line between said two lots eastwardly 172.7 feet to a point; thence southwardly 75 feet to a point; thence with the line between Lot Nos. 142 and 143 westwardly 171.8 feet to the easterly margin of Scalf Drive; thence with said Drive northwardly 75 feet to the beginning.

Being the same property conveyed to WALTER H. CARTER, UNMARRIED, by Warranty Deed from WALTER H. CARTER TRUSTEE, of record in Book 8886, PAGE 371, Register's Office for DAVIDSON County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2004 and subsequent years, A LIEN, not yet due and payable (MAP 43-7, PARCEL 2). 2003 real property taxes are PAID in the amount of 884.74.

2. All matters as set forth on the Plan of ANDERSON ESTATES, of record in Plat Book 1130, page 37, said Register's Office, including any and all setback lines, easements, notes, restrictions, etc., as may be shown thereon.