Box 29

This instrument prepared by:
Dennis Clifton Wright, Attorney
632 West Old Hickory Boulevard
Madison, Tennessee 37115-3514

Davidson County DEEDWARR
Recvd: 07/23/04 14:48 2pgs
Fees:13.00 Taxes:555.00
20040723-0088449

WARRANTY DEED

Address new owner as:
Jerry N. Smith, etux
245 Hillcrest Drive
Madison, Tennessee 37115

Send tax bills to:
Same

Map-Parcel
Map 34-14
Par 87

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, we, Johnny C. Cunningham and wife, Dana M. Cunningham, ("Grantors"), have this day bargained and sold, and do hereby transfer and convey to Jerry N. Smith and wife, Mary Louise Smith, ("Grantees"), their heirs and assigns, certain real estate in the Third Councilmanic Davidson County, Tennessee, described as follows:

Being described according to a survey by J. Bruce Rainey, Surveyor, Number 823, dated June 24, 1990, revised September 26, 1990, and known as Job No. 890074, more particularly described as follows:

Beginning at a point in the south line of Stanley Heights of record in Plat Book 3300, page 74, at its intersection with the charter right-of-way line of the Seaboard Systems Railroad as shown on Right-Of-Way and Tract Map Number 57 of the Louisville-Nashville Railroad Company, Mainstem Second Division, said point being 100 feet from the centerline of the main tract, thence with said charter right-of-way and a curve to the right having a central angle of 10 deg. to min. 52 sec., a radius of 1,766.03 feet and a chord described as running S 47 deg. 11 min. 50 sec. W 313.40 feet, a distance along said curve of 313.81 feet to a point; thence continuing with said charter right-of-way line, S 52 deg. 17 min. 16 sec. W 514.65 feet to a point; thence N 01 deg. 36 min. 49 sec. E 421.62 feet with the centerline of a 40 foot sewer and public utility easement of record in Book 493, page 179, Register's Office for Davidson County, Tennessee, to a point in the south line of said Stanley Heights; thence N 80 deg. 21 min. 00 sec. E 634.18 feet to the point of beginning, containing 3.21 acres, more or less.

BEING the same property conveyed to Johnny C. Cunningham and wife, Dana M. Cunningham by Warranty Deed from Harold S. Paul and Virginia P. Neal, dated December 11, 1990, and recorded on December 13, 1990, in Book 8256, page 697, said Register's Office.

This is improved property known as 1390 Bain Drive, Madison, Tennessee.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging to Grantees their heirs and assigns, forever.

And we, the Grantors, covenant with the Grantees that we are lawfully seized and possessed of said land in fee simple; that we have a good right to convey it, and that the same is unencumbered,

except as otherwise herein set forth, and subject to restrictive covenants of record and for real property taxes for the year 2004.

And we, the Grantors, further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to said land to Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever.

This description is the same used in the previous deed of record.

WITNESS our hands this 21st day of July, 2004.

JOHNNY C. CUNNINGHAM

DANA M. CUNNINGHAM

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, , Johnny C. Cunningham and wife, Dana M. Cunningham, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that we executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 21st day of July, 2004.

OLLIE MAI PARSLEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires NOV. 25, 2006

NOTARY PUBLIC

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value whichever is greater, for this transfer is $150,000.00.

AFFIANT

Subscribed and sworn to before me, this 21st day of July, 2004.

OLLIE MAI PARSLEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires NOV. 25, 2006

NOTARY PUBLIC

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF TITLE TO THE PROPERTY DESCRIBED HEREIN. THIS DEED HAS BEEN PREPARED SOLELY FROM INFORMATION FURNISHED TO THE PREPARER, WHO MAKES NO REPRESENTATION WHATSOEVER OTHER THAN IT HAS BEEN ACCURATELY TRANSCRIBED FROM THE INFORMATION PROVIDED.