File Box 8

PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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W & I Ref: Title No: 45774

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 07/26/04 13:35 3pgs
Fees:18.00 Taxes:1332.00

20040726-0089114

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Highmark Construction Group, Inc. 506 Bobby Drive Franklin, Tennessee 37069	Same

TAX MAP-PARCEL NUMBERS: 116-12-131

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$360,000.00 ,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Mitchell Whitson**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Highmark** AKA "HIGH MARK" **Construction Group, Inc.** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

Land in Davidson County, Tennessee, being Lot Nos. 2 and 3 on the Plan of Wallace Lane Crossing of record in Doc. No. 20040527-00623041 Register's Office for said County to which Plan reference is hereby made for a complete description.

Being the same property conveyed to Mitchell Whitson, a married person by deed from Gino L. Marchetti, Jr. Trustee of the Wallace Lane Trust of record in Doc. No. 20040423-0046043, Register's Office for Davidson County, Tennessee.

Anna C. Whitson spouse of Mitchell Whitson joins in this conveyance for the sole purpose of conveying any and all marital interest in subject property.

Description Reference: Described according to (or by reference to) the recorded subdivision Plan.

This conveyance is subject to: Taxes for 2004, and subsequent years; The Plan, with Owner's Certificate, of record in Doc. No. 20040527-0062304, said Register's Office, which Plan shows a minimum building setback line and a 20 foot easement for public utility and drainage purposes along the northerly and easterly line(s) of said lot.

This instrument is executed on behalf of by as Attorney in Fact pursuant to a Power of Attorney being recorded simultaneously herewith. The affidavit of said Attorney in Fact is attached as "Exhibit A' to this instrument and incorporated herein by reference.

This is improved property, known as: 3601 Abbott Martin, Nashville, Tennessee

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised 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.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 21st day of July, 2004 .

Mitchell Whitson

Anna C. Whitson
By Anna C. Whitson By: Mitchell Whitson , Atty-in-Fact

State of TENNESSEE
County of WILLIAMSON

On this 21st day of July, 2004 , before me the undersigned authority, personally appeared Mitchell Whitson , to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and acknowledged the execution as a free act and deed.

DEBORAH GAIL JOHNSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires MAY 29, 2005

My Commission Expires:

Deborah Gail Johnson
Notary

State of TENNESSEE
County of WILLIAMSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $360,000.00

Affiant

Sworn and subscribed before me this 21st day of July, 2004

KRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007

My Commission Expires:

Notary Public

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 Mitchell Whitson, with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of Anna C. Whitson , as Attorney-in-Fact, as the free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this 21st day of July, 2004

Notary Public

My Commission Expires:_____

EXHIBIT "A"
To
Warranty Deed

FROM: Mitchell Whitson

TO: Highmark Construction Group, Inc.

State of Tennessee
County of Williamson

A F F I D A V I T

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited is executed by the undersigned as attorney-in-fact for the principal(s) thereon shown.

2. That this execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. Pursuant to the provisions of *Tennessee Code Annotated,* Section 34-6-105(c), of the Uniform Durable Power of Attorney Act, the undersigned Affiant certifies that at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Mitchell Whitson, Affiant

Sworn to and subscribed before me this

21st day of July, 2004

Notary Public

My Commission Expires:_____

LARGE

DAVIDSON COU

Y 29, 20