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

WARRANTY DEED

THIS INDENTURE is made and entered into this **29th** day of **July, 2004, by and between KENNETH A. SMITH and MARGIE SMITH, HUSBAND AND WIFE, hereinafter called Grantors, and CARLOS F. PRESTON 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, KENNETH A. SMITH and MARGIE SMITH, HUSBAND AND WIFE, as Grantors, do hereby bargain, sell, transfer and convey unto CARLOS F. PRESTON MARRIED, hereinafter referred to as Grantee, his successors, heirs 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 Grantors 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 3500 HUNTLAND DRIVE, WHITES CREEK, TENNESSEE 37189.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, his successors, heirs and assigns forever. The Grantors covenant and agree with the said Grantee that Grantors are lawfully seized and possessed of the said real estate and that Grantors have a good and lawful right to sell the same. The Grantors further covenant that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantors further covenant and bind themselves and their 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.

WITNESS the hands and seals of Grantors on the day and year first above written.

Davidson County DEEDWARR
Recvd: 08/02/04 08:46 3pgs
Fees:18.00 Taxes:499.13



20040802-0091925

KENNETH A. SMITH
Signature of Seller

MARGIE SMITH

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public of said County and State, KENNETH A. SMITH and MARGIE SMITH, HUSBAND AND WIFE, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 29th day of July, 2004.

Barbara Black
Notary Public

BARBARA BLACK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 26, 2005

My Commission Expires: _____

Name and Address of Property Owner:

CARLOS F. PRESTON MARRIED

3500 HUNTLAND DRIVE
WHITES CREEK, TENNESSEE 37189

Property Address:

3500 HUNTLAND DRIVE
WHITES CREEK, TENNESSEE 37189

Person Responsible for Taxes:

COLDWELL BANKER MORTGAGE
P.O. BOX 5954
SPRINGFIELD, OHIO 45501-5954

Map & Parcel #: MAP 39, PARCEL 215

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 **$134900** 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 **29th** day of **July, 2004.**

Barbara Black
Notary Public

BARBARA BLACK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 26, 2005

My Commission Expires: _____

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 04-229J

EXHIBIT 'A'

LAND in Davidson County, Tennessee, being Lot No. 21, on the Plan of Resubdivision of Reserve Parcels "B", "C", and "D", Hickory Hollow, of record in Book 4675, page 152, Register's Office for Davidson County, Tennessee.

SAID Lot No. 21, which is a corner lot, fronts 380.24 feet on the westerly margin of Huntland Drive and fronts 245.00 feet on the southeasterly margin of Shellbark Drive, said frontages being joined by a curve having a length of 39.91 feet and extends back 298.44 feet on the southwesterly line and 263.12 feet on the southerly line to a point of intersection.

Being the same property conveyed to KENNETH A. SMITH and MARGIE SMITH, HUSBAND AND WIFE, by Warranty Deed from GARY L. WARICK AND WIFE, BRENDA K. WARICK, of record in Book 8253, page 493, 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 39, PARCEL 215). 2003 real property taxes are PAID in the amount of 1063.68.

2. All matters as set forth on the Plan of RESUBDIVISION OF RESERVE PARCELS B, C & D, HICKORY HOLLOW, of record in Plat Book 4675, page 152, said Register's Office, which plan includes a 100-foot minimum building setback line from HUNTLAND DRIVE AND SHELLBACK DRIVE; a 10-foot public utility and drainage easement along the NORTHERLY AND SOUTHERLY lot lines; and OVERHANG EASEMENT over property adjacent to Shellback Drive.

3. Restrictive Covenants of record in Book 4942, Page 11, Register's Office for DAVIDSON County, Tennessee.