PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

Parklane Building, Suite 109
5200 Maryland Way
Brentwood, TN 37027
Ph. (615) 507-2004 - Fax. 507-2002
E-mail: *main@wilkinsandivey.com*

W & I Ref: Title No: 45785

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 08/03/04 10:33 3pgs
Fees:18.00 Taxes:558.33
20040803-0092659

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
John Thomas Heidi Thomas 3521 Seasons Drive Antioch, Tennessee 37013	MIT Lending 4898 S. Old Peachtree Road Suite 105 Norcross, Georgia 30071

TAX MAP-PARCEL NUMBERS: 150-11-239

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$150,900.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Jimmy M. KhamKen** and wife, **Von F. KhamKen**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **John Thomas and spouse, Heidi Thomas** 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 No. 348 on the Plan of Phase I, Somerset of record in Book 6900, Page 690 Register's Office for said County, to which plan reference is hereby made for a more complete description thereof.

Being the same property conveyed to Jimmy M. KhamKen and wife, Von F. KhamKen by deed from Phillips Builders, Inc. of record in Book 9734, Page 996, Register's Office for Davidson County, Tennessee.

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 Book 6900, Page 690, said Register's Office, which Plan shows minimum building setback lines and easements to which plan reference is hereby made for a more complete description thereof; The Declaration of Covenants, Conditions and Restrictions of record in Book 7619, page 647, amended in Book 7657, Page 583, Book 7675, page 923, Book 7776, Page 826, Book 8201, Page 770, Book 9072, Page 980, Book 7404, Page 295, By Laws in Book 7619, Page 679, said Register's Office, which sets forth assessments, liens and other matters, to which Declaration reference is hereby made for more particulars.

This instrument is executed on behalf of Von P. KhamKen by Jimmy M. Khamken 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: 3521 Seasons Drive, Antioch, Tennessee 37013

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 29th day of July, 2004 .

Jimmy M. KhamKen

Von P. KhamKen By: Jimmy M. Khamken, Atty-in-Fact

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: $150,900.00

Affiant

Sworn and subscribed before me this 29th day of July, 2004

Notary Public

My Commission Expires: _____

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 , **Jimmy M. Khamken** 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 **Von P. KhamKen** , 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 29th day of July, 2004

Notary Public

My Commission Expires: 5/26/05

EXHIBIT "A"
To
Warranty Deed

FROM: Jimmy M. KhamKen and wife, Von F. KhamKen

TO: John Thomas and spouse, Heidi Thomas

State of Tennessee
County of Williamson

AFFIDAVIT

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.

Jimmy M. Khamken, Affiant

Sworn to and subscribed before me this

29th day of July, 2004

Notary Public

My Commission Expires: 5/26/05

DAVIDSON COUNTY