Davidson County DEEDWARR
Recvd: 08/05/04 08:37 2pgs
Fees:13.00 Taxes:628.63
20040805-0094042

THIS INSTRUMENT PREPARED BY:
Gail P. Pigg, Attorney
219 Second Avenue, North
First Floor Suite
Nashville, Tennessee 37201

OWNER(S) ADDRESS AS FOLLOWS:	SEND TAX BILLS TO:	MAP & PARCEL NO.
Brandon Corey Smith and Malcolm P. Smith, as Joint Tenants with Right of Survivorship	Same	117-07-0-H-011.00
3332 Hillsboro Pike		
Nashville, TN 37215		

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named GRANTEES, and other good and valuable consideration, the receipt of which is hereby acknowledged, we,

RANDALL L. TONEY AND WIFE, RHONDA ANN TONEY

hereinafter called the GRANTORS, having bargained and sold, and by these presents do transfer and convey unto,

**BRANDON COREY SMITH AND MALCOLM P. SMITH,
AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

hereinafter called the GRANTEES, their heirs and assigns, a certain condominium apartment in Davidson County, State of Tennessee, described as follows, to wit:

Land in Davidson County, Tennessee, being a part of the Plan of Roderick Square, a Horizontal Property Regime, of record in Plat Book 6250, page 928, Register's Office for Davidson County, Tennessee, the part hereby described being:

Unit No. 3332 on said Plan, and as shown in and described by the Master Deed establishing a Horizontal Property Regime with respect to Roderick Square Condominiums.

Being the same property conveyed to Randall L. Toney and wife, Rhonda Ann Toney by Deed from Haury and Smith Contractors, Inc. of record in Book 7533, page 402, said Register's Office.

EXCLUDED FROM THE COVENANTS OF WARRANTY OF THIS DEED ARE:

1. Taxes for 2004.

2. Limitations and conditions imposed by the "Horizontal Property Act: set out in Code Sections 66-27-101, et seq., of the Tennessee Code Annotated.

3. Terms, provisions, covenants, conditions, easements and rights established by and contained in the Master Deed of Roderick Square, a Horizontal Property Regime, recorded in Book 6867, page 385, Register's Office for Davidson County, Tennessee and By-Laws appended thereto.

4. Plat recorded in Plat Book 6250, page 928, said Register's Office.

This is improved property known as 3332 Hillsboro Road, Nashville, Tennessee 37215.

TO HAVE AND TO HOLD the same tract or parcel of land with appurtenances, estate, title and interest thereto belonging to said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said unit in fee simple, have good right to

convey it, and the same is unencumbered, except as hereinabove set forth; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said unit to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever except as set forth above. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this 26th day of July, 2004.

RANDALL L. TONEY

RHONDA ANN TONEY

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a notary public, in and for said County and State, Randall L. Toney and Rhonda Ann Toney, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, the within named bargainors, and, who, upon oath, acknowledged that they executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal at office in Nashville, Tennessee, this 26th day of July, 2004.

NOTARY PUBLIC

GAIL PIGG NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN

My commission expires: May 24, 2008.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer or value of property (whichever is greater) is $169,900.00.

Sworn to and subscribed before me this 26th day of July, 2004.

NOTARY PUBLIC

GAIL PIGG NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN

My commission expires: May 24, 2008.