THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **First Title & Escrow Co., Inc.** **FTEC File No. 23177-07-2004** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $625,000.00. Affiant Subscribed and sworn to before me this 9th day of August, 2004. Notary Public My Commission Expires:

GERALD G. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires SEPT. 22, 2007

WARRANTY DEED

Address New Owner: Michael J. Matheny Cynthia S. Matheny 110 Savoy Circle Nashville, TN 37205	**Send Tax Bills To:** New Owners	**Tax Information:** Map No.104.14-0G Parcel No. 133.00 CO

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Wendy L. Dalby, a/k/a Wendi Lowery Dalby and husband, Danny Dalby, a/k/a Danny Brooks Dalby**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Michael J. Matheny and wife, Cynthia S. Matheny** ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at 110 Savoy Circle, Nashville, TN 37205

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

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 9th day of August, 2004.

Wendi Lowery Dalby

Danny Brooks Dalby

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Wendi Lowery Dalby and husband, Danny Brooks Dalby**, 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 9th day of August, 2004.

Notary Public

My Commission Expires:

GERALD G. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires SEPT. 22, 2007

Davidson County DEEDWARR
Recvd: 08/11/04 13:53 2pgs
Fees:13.00 Taxes:2312.50

20040811-0097181

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 22 on the Plan of Whitworth Phase 02 as of record in Plat Book 7900, page 470, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Wendy L. Dalby and husband, Danny Dalby by deed dated September 27, 2002 from George K. Khoury and wife, Mary S. Khoury of record as Instrument No. 20020930-00118408, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 City/County Taxes which have been prorate by the parties and assumed by the Grantees.
2. Declaration of Covenants, Conditions By-Laws and Restrictions for Whitworth, of record in Book 8026, page 305, amended in Book 8282, page 45, Book 8830, page 249, BOok 9778, page 27 and Instrument No. 20020812-0097386, Register's Office for Davidson County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons).
3. Dedication of common area to The Whitworth Homeowners Association of record in Book 9778, page 32, Register's Office for Davidson County, Tennessee.
4. Charter of Incorporation of The Whitworth Homeowners Association of record in Book 8090, page 691, amended in Book 8283, page 523, Register's Office for Davidson County, Tennessee.
5. Designation & Agreement recorded in Book 8830, pgae 270, Register's Office for Davidson County, Tennessee.