(1)

Part of Map and Parcel 173-00-0-062

This Instrument Was Prepared By:
Patricia Quinn Robertson, Attorney
Yost and Robertson PLC
133 Holiday Court, Suite 208
Franklin, TN 37067
(615) 790-9678

Send Tax Bills To New Owner:
Don B. Smithson dba Don B. Smithson Construction
6517 Windyhill Court
Brentwood, TN 37027

Davidson County DEEDWARR
Recvd: 08/16/04 08:34 2pgs
Fees:13.00 Taxes:812.15
20040816-0098504

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS ($10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, LENOX VILLAGE I, LLC, a Tennessee limited liability company, Grantor(s), has bargained and sold and by these presents does transfer and convey unto DON B. SMITHSON dba DON B. SMITHSON CONSTRUCTION, Grantee, his heirs and assigns, the property located in Davidson County, Tennessee being described as follows:

A certain tract or parcel of land located in the 31st Councilmanic District of Davidson County, State of Tennessee, being Lots Nos. 264, 265, 266, 267, and 268 on the plan of Phase Four, Lenox Village of record at Instrument No. 20040806-0094784 Register's Office of Davidson County, Tennessee to which plan reference is hereby made for a more complete and accurate legal description.

Being a portion of the same property conveyed to Lenox Village I, LLC, a Tennessee limited liability company by deed from Louis J. Resha, Jr., Raymond M. Resha and Sun Trust Bank, a Georgia corporation (successor in interest to Sun Trust Bank Nashville N.A.) as Successor Trustee under the Last Will and Testament of Annie Davis Resha of record at Instrument No. 20010703-0070464, Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD the said property, together with all improvements and appurtenances thereunto belonging unto the said Grantee, his heirs and assigns forever.

AND GRANTOR DOES COVENANT with the said Grantee that Grantor is lawfully seized and possessed of said property in fee simple, has a good and lawful right to sell and convey the same, and that it is free from any lien or encumbrance whatsoever, except as follows:

1. 2004 taxes will be paid by Grantor when due.
2. Subject to matters shown on the plan of Phase Four, Lenox Village of record at Instrument No. 20040806-0094784, Register's Office of Davidson County, Tennessee.
3. Master Deed Restrictions of record at Instrument No. 20020315-0032825, Register's Office of Davidson County, Tennessee; as supplemented at Instrument No. 20021226-0158459 and Instrument No. 20040526-0062221; said Register's Office.
4. Declaration of Charter, Easements, Covenants and Restrictions for the Residential Neighborhood of record at Instrument No. 20020315-0032826, Register's Office of Davidson County, Tennessee; as supplemented at Instrument No. 20021226-0158458; Instrument No. 20031212-0178492; and Instrument No. 20040526-0062220; said Register's Office.
5. Charter of Lenox Village Neighborhood Association, Inc. of record at Instrument No. 20020412-0045831, Register's Office of Davidson County, Tennessee.
6. Storm Water Detention Agreement at Instrument No. 20020408-0042676, Register's Office of Davidson County, Tennessee.

AND GRANTOR DOES FURTHER COVENANT and bind itself its successors and representatives, to warrant and forever defend the title to said property, to the said Grantee, his heirs and assigns, against the lawful claims and demands of all persons whomsoever.

WITNESS the execution of this Warranty Deed on this the 12th day of August, 2004.

LENOX VILLAGE I, LLC

BY: Rick Blackburn

TITLE: Secretary

STATE OF Tennessee)
)
COUNTY OF Williamson)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Rick Blackburn, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Secretary of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand and seal, at office in Brentwood, TN, this 12th day of August, 2004.

Gail P. Luttrell
NOTARY PUBLIC

My Commission Expires: 4-16-2006

GAIL P. LUTTRELL NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

STATE OF Tennessee)
)
COUNTY OF Williamson)

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is Two Hundred Nineteen Thousand Five Hundred Dollars ($219,500.00) which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

AFFIANT

Sworn to and subscribed before me this 12th day of August, 2004.

Gail P. Luttrell
NOTARY PUBLIC

My Commission Expires: 4-16-2006

GAIL P. LUTTRELL NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN