This Instrument Prepared By:
Gail Smith Bradford, Esq.
Wyatt, Tarrant & Combs, LLP
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203-1423

Davidson County DEEDWARR
Recvd: 08/16/04 15:40 5pgs
Fees:28.00 Taxes:925.00
20040816-0098990

WARRANTY DEED

Address New Owner(s)	Send Tax Bills To:	Map & Parcel Nos.:
Donald Keith Ferguson	**SAME**	**142-00-0 029.02**
7513 Highway 70 South		
Nashville, Tennessee 37221		

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **PEGGY FERGUSON SMOTHERS** (referred to hereinafter as "Grantor"), a married person, has bargained and sold and does hereby transfer and convey unto **DONALD KEITH FERGUSON** (referred to hereinafter as "Grantee"), to hold as his sole and individual property, his heirs and assigns, a tract of land located in Davidson County, Tennessee, as further described in **Exhibit A**, attached and incorporated by reference (the "Property"). The Property is improved property known as **7513 Highway 70 South, Nashville, Tennessee.**

TO HAVE AND TO HOLD the Property, together with all the appurtenances and hereditaments thereunto belonging or in any way appertaining to the said Grantee, his heirs and assigns, forever.

AND Grantor does hereby covenant with Grantee that she is lawfully seized and possessed of the Property in fee simple; that she has good right to sell and convey the same; and that the same is unencumbered, except for:

(1) 2004 real estate taxes, which are being prorated at closing and which are assumed by the Grantee and future years, liens but not yet due and payable;

(2) all matters shown on the Plat Book 3, page 15, Register's Office for Davidson County, Tennessee;

(3) Right of way easement for highway purposes of record in Book 5336, page 124, and Book 5355, page 91, said Register's Office;

(4) Matters shown on the P.U.D. Boundary Plat of record as Instrument No. 20010716-0075271, said Register's Office, except for the Restrictive Covenants referenced as Note 11 thereon which is hereby omitted; and

(5) applicable zoning restrictions and building codes.

AND Grantor does further covenant and bind herself, her heirs and assigns, to warrant and forever defend the title to the Property against the lawful claims of all persons whomsoever.

[REMINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on this 10 day of August, 2004.

Peggy Ferguson-Smothers

Autra Smothers joins in the execution of this agreement for the purpose of conveying any right, title and interest he may have in the Property by virtue of marriage to Peggy Ferguson-Smothers and to consent to the waiver of the homestead exemption.

Autra Smothers

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $250,000.00.

AFFIANT

Subscribed and sworn to before me, this 10 day of August, 2004.

NOTARY PUBLIC

My Commission Expires:

GAIL SMITH BRADFORD
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 29, 2005

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, of the state and county aforesaid, personally appeared **Peggy Ferguson-Smothers**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that she executed the foregoing instrument for the purposes therein contained, by signing her name.

WITNESS my hand and seal, at office in Nashville, Davidson County, Tennessee on this 10th day of August, 2004.

GAIL SMITH BRADFORD NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC

My Commission Expires: _____

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

My Commission Expires JAN. 29, 2005

Before me, the undersigned, of the state and county aforesaid, personally appeared **Autra Smothers**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained, by signing his name.

WITNESS my hand and seal, at office in Nashville, Davidson County, Tennessee on this 10th day of August, 2004.

NOTARY PUBLIC

My Commission Expires: _____

GAIL SMITH BRADFORD NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 29, 2005

EXHIBIT A

Land in Davidson County, Tennessee, being a part of Lot No. 3 on the Map showing the Division of the Lands in the Cause of Schild vs. Flynn in Part No. 1 of the Chancery Court at Nashville as shown by the Plan of record in Plat Book 3, page 15, of said Chancery Court and being known as Lot No. 2 on the unrecorded Map of the Lands of John and Joseph Flynn, and described as follows:

BEGINNING at a point in the south margin of U.S. Highway #70 at the corner of Lots No. 1 and 2 of said unrecorded Subdivision; thence with the line between said lots, southerly 352 feet to a point; thence easterly 108 feet to a corner of Tract No. 3 of said unrecorded Plan; thence with the line between Tracts 2 and 3, northerly 350 feet to the south margin of U. S. Highway #70; thence with the margin of the same, westerly 145 feet to the point of beginning.

Being the same property conveyed to Forrest B. Ferguson and wife, Peggy T. Ferguson, by deed of record in Book 3372, page 327, Register's Office for Davidson County, Tennessee, the said Forrest B. Ferguson having since died.