Book 414

| | |
|---|---|
| **THIS INSTRUMENT PREPARED BY:**<br>**George V. Crawford, Jr.**<br>**GULLETT, SANFORD, ROBINSON & MARTIN, PLLC**<br>315 DEADERICK STREET, SUITE 1100<br>P. O. BOX 198888<br>NASHVILLE, TENNESSEE 37219-8888<br>(615) 244-4994<br><br>Davidson County DEEDWARR<br>Recvd: 09/01/04 11:08 3pgs<br>Fees:18.00 Taxes:1387.50<br>20040901-0105751 | STATE OF TENNESSEE )<br>COUNTY OF DAVIDSON )<br><br>The actual consideration or value, whichever is greater, for this transfer is $375,000.00.<br><br>Margaret S. Smith, Trustee<br>Affiant<br><br>Subscribed and sworn to before me, this 30th day of August, 2004.<br><br>Notary Public<br><br>My Commission Expires: |

GEORGE V. CRAWFORD, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007

Address New Owner As Follows:
Margaret S. Smith, Trustee
5312 Otter Creek Court
Brentwood, TN 37027

Send Tax Bills To:
Same as New Owner

Map, Parcel Number:
Map 145-15-0-A
Par 008.00

**WARRANTY DEED**

**FOR AND IN CONSIDERATION** of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **RUTH P. ATKINSON AND HUSBAND, FITZGERALD ATKINSON**, hereinafter called the Grantors, have bargained and sold, and by these presents do transfer and convey unto **MARGARET S. SMITH, TRUSTEE OF THE MARGARET S. SMITH LIVING TRUST DATED JULY 3, 1981**, hereinafter called the Grantee, her heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Land in Davidson County, Tennessee, being Unit No. 13-B of Stratford Place Residential Condominiums, as described in the Master Deed Establishing Horizontal Property Regime of Stratford Place Residential Condominiums, of record in Book 6472, page 47, in the Register's Office for Davidson County, Tennessee, being a horizontal property regime, together with all rights, interests and apputenances thereto, including but not limited to the undivided interest in the common elements thereof, as set out in the aforesaid Master Deed of record in Book 6472, page 47, in the Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Fitzgerald Atkinson and wife, Ruth P. Atkinson by deed from W.P. Russell, Jr. and wife, Lynne M. Russell, of record in Book 7018, page 835, Register's Office for Davidson County, Tennessee. Also, being the same property conveyed to Ruth P. Atkinson by deed from Fitzgerald Atkinson, of record in Book 11194, page 275, Register's Office for Davidson County, Tennessee.

A new legal description was not prepared for this transaction. The legal description is the same as the previous instrument of record.

Fitzgerald Atkinson joins in the execution of said conveyance for the limited purpose of conveying any interest he may have in said land by reason of marital status or otherwise.

This conveyance is made subject to:

1. 2004 Metro taxes, a lien but not yet due and payable, which have been prorated and assumed by Grantee. By acceptance of delivery of this instrument, Grantee assumes and agrees to pay such taxes as and when such become payable and to indemnify and hold harmless Grantors from liability and loss therefrom.

2. All matters as shown on the Plan of record in Book 6250, page 5600, Register's Office for Davidson County, Tennessee.

3. Master Deed Establishing a Horizontal Property Regime of Stratford Place Residential Condominiums, of record in Book 6472, page 47, as amended in Book 7140, page 592, re-recorded in Book 7234, page 801; and further amended in Book 7353, page 472; Book 7426, page 234; Book 7756, page 116; Book 7903, page 652; Instrument No. 20040402-0037662, Register's Office for said County, and the By-Laws of record in Book 6472, page 86, Register's Office for said County.

4. Easement to Davidson County, Tennessee for right of way of Otter Creek Road of record in Book 1260, page 518, Register's Office for said County.

5. Subject to water main of record in Book 6150, page 341, Register's Office for said County.

6. Agreement to Maintain a Private Access Drive of record in Book 6430, page 601, Register's Office for said County.

7. Right of way easement to South Central Bell Telephone Company of record in Book 6507, page 851, Register's Office for said County.

8. Rights of others in and to the common elements.

This is improved property known as 5312 Otter Creek Court, Brentwood, TN 37027.

**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, her heirs and assigns, forever; and we covenant with the said Grantee that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and further covenant and bind ourselves, our heirs and assigns, to warrant and forever defend the title to the said land to the said Grantee, her heirs and assigns, against the lawful claims of all person whomsoever.

**WITNESS** our hands this 30th day of August, 2004.

Ruth P. Atkinson

Ruth P. Atkinson

Fitzgerald Atkinson

Fitzgerald Atkinson

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **RUTH P. ATKINSON AND HUSBAND, FITZGERALD ATKINSON**, the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this 20th day of August, 2004.

Notary Public

My Commission Expires: _____

GEORGE V. CRAWFORD, JR.
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007