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. 23171-07-2004**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $265,000.00. Affiant Subscribed and sworn to before me this 2nd day of September, 2004. Notary Public My Commission Expires: _____

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 24, 2007

WARRANTY DEED

Address New Owner: Frank M. Madonia 641 Old Hickory Blvd. #124 Brentwood, TN 37027	**Send Tax Bills To:** New Owners	**Tax Information:** Map No.171.03-0B Parcel No. 099.00 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, **Karl James and Tara James, husband and wife**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Frank M. Madonia,** ("Grantee"), his 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 641 Old Hickory Blvd. #124, Brentwood, TN 37027

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 2nd day of september, 2004.

Karl James

Tara James
By Karl James, as her Attorney in Fact

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Karl James**, 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 2nd day of September, 2004.

Notary Public

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 24, 2007

My Commission Expires: _____

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned, of the State and County aforesaid, personally appeared Karl James 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 within instrument on behalf of Tara James as her Attorney-In-Fact, and as the free act and deed of the within named Tara James, as her Attorney in Fact.

Witness my hand and official seal, at office in Nashville, Tennessee, this 2nd day of September, 2004.

Notary Public

My Commission Expires: _____

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 24, 2007

Davidson County DEEDWARR
Recvd: 09/10/04 14:00 3pgs
Fees:18.00 Taxes:980.50

20040910-0109707

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 102 on the Plan of Phase One Section Two Townhomes of Fredericksburg, of record in Plat Book 9700, page 364, Register's Office for said County, to which plan reference is made for a more complete description.

Being the same property conveyed to Karl James and Tara James, husband and wife by deed dated 09/02/03 from Triad Properties, LLC, a Tennessee limited liability company of record in Instrument No. 20030915-0135321, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 City/County Taxes which have been prorated by the parties and assumed by the Grantee.
2. Restrictive covenants contained in an instrument of record in Book 7798, page 843, 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. Declaration of Covenants, Conditions and Restrictions for Townhomes of Fredericksburg of record in Book 10126, page 435, amended in Book 10224, page 683, corrected in Book 10294, page 850, made applicable in Book 10393, page 11, amended in Instrument No. 20000718-0070558, 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 tohandicap, but does not discriminate against handicapped persons).
4. Declaration of Covenants, Conditions and Restrictions for Fredericksburg Homeowner's Association, Inc. of record in Book 8920, page 65, amended in Book 9500, page 393, Book 9860, page 840, and Book 10694, page 541, 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 tohandicap, but does not discriminate against handicapped persons).
5. By-Laws of The Townhomes of Fredericksburg Homeowners Association, Inc., of record in Book 10126, page 486, amended in Book 10275, page 959, Register's Office for Davidson County, Tennessee.
6. Charter of Incorporation of Townhomes of Fredericksburg Homeowner's Association, Inc. of record in Book 10126, page 430 and Book 11550, page 529, Register's Office for Davidson County, Tennessee.
7. Charter of Incorporation of Fredericksburg Homeowner's Association, Inc. of record in Book 8920, page 40, Register's Office for Davidson County, Tennessee.
8. By-Laws of Fredericksburg Homewoners' Associaion, Inc., of record in Book 8920, page 45, amended in Book 10694, page 539, Register's Office for Davidson County, Tennessee.
9. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 7358, page 643 and Book 9607, page 431, Register's Office for Davidson County, Tennessee.
10. Amenities Area of Fredericksburg of record in Plat Book 7900, page 807, Register's Office for Davidson County, Tennessee.

11. All matters appearing on the Plan of record as Book 7900, page 509, Register's Office for Davidson County, Tennessee.
12. All matters appearing on the Plan of record as Book 9700, page 364, Register's Office for Davidson County, Tennessee.
13. Dedication of Site Drainage easement of record in Book 10012, page 756, Register's Office for Davidson County, Tennessee.
14. Storm water detention agreement of record in Book 10357, page 920, Register's Office for Davidson County, Tennessee.