File Box 9-B
First Title & Escrow Co., Inc.
#23369

# WARRANTY DEED

20092

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $825,000.00

Affiant

SWORN AND SUBSCRIBED TO BEFORE ME, THIS THE 17th DAY OF September, 2004.

(Affix Seal)

Notary Public
My Commission Expires:

GEORGE E. MUDTER, JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008

THIS INSTRUMENT WAS PREPARED BY and PLEASE RETURN TO:

BRENDA FRANKS HALE
HALE AND HALE, PLC
231 PUBLIC SQUARE, SUITE 312
FRANKLIN, TN 37064

| Address of New Owners: | Send Tax Bills To: | Tax ID#: |
|---|---|---|
| Danny B. Dalby and wife, Wendi Lowery Dalby | SAME | Map and Parcel |
| 921 Bowring Park | Davidson County DEEDWARR Recvd: 09/22/04 08:21 2pgs Fees:13.00 Taxes:3089.50 | 117-13-0-B-159.00 |
| Nashville, TN 37215 | 20040922-0113754 | |

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid by the hereinafter named GRANTEE(S), and other good and valuable consideration, the receipt of which is hereby acknowledged, FELKER CONSTRUCTION CO., INC., a Tennessee corporation, hereinafter called the GRANTOR(S), has bargained and sold, and by these presents does hereby transfer and convey unto DANNY B. DALBY AND WIFE, WENDI LOWERY DALBY, hereinafter called the GRANTEE(S), their heirs and assigns, that certain tract or parcel of land in DAVIDSON COUNTY, STATE OF TENNESSEE described as follows, to wit:

Land in Davidson County, Tennessee, being Lot No. 1023, on the Plan of Abbottsford, Phase 2, Revision 1, as of record in Instrument No. 20010502-044874, as amended in Instrument No. 20020305-0027572, as corrected in Instrument No. 20020828-0104512, Register's Office for Davidson County, Tennessee.

Being a part of the same property conveyed to Felker Construction Co., Inc., a Tennessee corporation, by warranty deed from Landstar Development, LLC, a Tennessee limited liability company, of record in Instrument No. 20010518-0052010, Register's Office for Davidson County, Tennessee.

This conveyance is subject to the following:

a. Davidson County taxes for the year 2004 are a lien against said property, but are not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with GRANTOR paying its prorata part thereof to GRANTEES, who will be responsible for payment of said taxes when they become due and payable. Map and Parcel 117-13-0-B-159.00

b. All matters appearing on the Plan of Abbottsford, Section Phase 2, Revision 1, of record in Plat Book 20010502-0044874, as revised in Instrument 20020305-0027572, as corrected in Instrument No. 20020828-0104512, Register's Office for Davidson County, Tennessee.

c. Amended and Restated Declaration of Covenants, Conditions and Restrictions for Abbottsford Homeowners Association, Inc. of record in Book 8106, page 1, amended in Book 8627, page 254, Book 9381, page 876, Book 10458, page 810 and Instrument No. 2001-03300030930, Register's Office for Davidson County, Tennessee.

d. Supplementary Declaration to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Abbottsford of record in Instrument No. 20010502-0045152, as re-recorded in Instrument No. 20010514-0049648, Register's Davidson County, Tennessee.

e. Declaration of restrictive covenants and reciprocal easements dated January 21, 1985, of record in Book 6478, page 177, amended in Book 6530, page 242, Register's Office for Davidson County, Tennessee.

f. Charter of Abbottsford Homeowners Association, Inc. of record in Book 6548, page 213, Register's Office for Davidson County, Tennessee.

g. Metropolitan Ordinances BL2000-545 and BL2000-546, of record in Minute Book 61, page 295, in the Office of the Metropolitan Council of the Metropolitan Government of Nashville and Davidson County, Tennessee.

h. Storm Water Detention Agreement of record in Book 6555, page 328 and Instrument No. 20010425-0040838, Register's Office for Davidson County, Tennessee.

i. Waterline easements of record in Book 1286, page 690, Book 1037, page 572 and Book 5128, page 953, Register's Office for Davidson County, Tennessee.

j. Subdivision Plat of the Frank R. Leu Property of record in Book 6250, page 418, Register's Office for ~~Williamson~~ Davidson County, Tennessee.

k. Restrictive covenants for Abbottsford contained in instruments of record in Book 6537, page 303, as amended in Book 6576, page 509 and Book 6578, page 302, Register's Office for Davidson County, Tennessee.

This is (X) improved property known as 921 Bowring Park, Nashville, Tennessee 37215.

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(s), their heirs and assigns forever; and the GRANTOR(S), does covenant with the said GRANTEE(S) that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and that the same is unencumbered, unless otherwise herein set out; and it does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to the said land to the said GRANTEE(S), their heirs and assigns, against the lawful claims of all persons whomsoever.

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

Witness my/our hand(s) this 17th day of September, 2004:

FELKER CONSTRUCTION, INC.

BY: James E Felker Pres.

James E. Felker, President

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared James E. Felker, with whom I am personally aquatinted, (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be President of Felker Construction Co., Inc., the within bargainor, a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation, by himself as such President.

Witness my hand this 17th day of September, 2004, in Franklin, Tennessee.

Notary Public

My Commission Expires: _____

GEORGE E. MUDTER, JR.
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008