#8676
Box 13

Davidson County DEEDWARR
Recvd: 09/29/04 10:15 2pgs
Fees:13.00 Taxes:101.75

20040929-0117050

SPECIAL
WARRANTY DEED

THIS INDENTURE, made and entered into this 22nd day of Sept., 2004 by and between **Key Bank USA, N.A.**, party of the first part, and ROBERT W BURNS AND Penny Day party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars ($10.00), cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the County of Davidson, Tennessee:

Land in Davidson County, Tennessee, being Lot No. 6 or Block "D" on the plan of Eastview Subdivision of the Shwab Property, as of record in Book 547, Page 64, in the Register's Office for said county. Said Lot No. 6 fronts 50 feet on the westerly side of Elmhurst Avenue and runs back between parallel lines 150 feet to the easterly line of block "G", in the Register's Office for Davidson County, Tennessee.

This being the same property conveyed to grantor herein by Substitute Trustee's Deed of record in Instrument No. 20031117-0167046, in the Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns in fee simple forever.

And the said party of the first part does hereby covenant with the said part of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for Subdivision Restrictions, Building Lines and Easements of record, *and other matters of record, including* in Book 547, Page 64, in the Register's Office of **Davidson** County, Tennessee; year 2004 property taxes; and matters that would be revealed by a current survey;

and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons ***claiming by, through or under party of the first part, but not further or otherwise.***

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the said party of the first part the day and year first above written.

Key Bank USA, N.A.
By: Fidelity National Asset Management Solutions, Its Attorney-in-Fact

By: _____
Printed Name: Sylvia J Bush
Title: Vice Pres

STATE OF Colorado
COUNTY OF Jefferson

Before me, the undersigned Notary Public of the aforesaid County and State, personally appeared Alicia J Bush, (or proved to me on the basis of satisfactory evidence), who acknowledged himself/herself to be the Vice Pres. of Fidelity National Asset Management Solutions, a corporation, which caused this instrument to be executed on behalf of Key Bank USA, N.A., the within named bargainer, a corporation, and that he/she executed the foregoing instrument for the purposes therein contained as the free act and deed of Key Bank USA, N.A.

WITNESS my hand, at office, this 9th day of Sept, 2004

Notary Public

Commission Expiration: 9-23-06

SHALEEN M KOEHLER
Notary Public
State of Colorado

PREPARED BY:
GRIFFIN, CLIFT, EVERTON & THORNTON, PLLC
6489 QUAIL HOLLOW SUITE 100
MEMPHIS, TN 38120
FF12260

PROPERTY ADDRESS:
135 Elmhurst Avenue
Nashville, Tennessee 37207

PARCEL ID NUMBER: 071-10-0-169.00

PROPERTY OWNER AND ADDRESS/
MAIL TAX BILLS TO:
Robert W. Burns
3716 Valley Ridge PR
Nashville, TN 37211

State of Tennessee
County of Davidson

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is $27,500 which amount is equal to or greater than the property transferred would command at a fair and voluntary sale.

Heidi Jo Clayton
Affiant

Subscribed and sworn before me this 22 day of September, 2004.

Notary Public
Commission expiration: 5/28/06

This deed is prepared with information provided by Chicago Title Insurance Company
F:\USERS\CHRIS\Key Bank Docs\SWD.Elmhurst.Davidson Co.wpd

NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 28, 2006