(1)

File #200450374

LINDA V. JONES NOTARY PUBLIC AT LARGE WILSON COUNTY, TENN.

LINDA V. JONES NOTARY PUBLIC AT LARGE WILSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 92,000.00.

Kimberly D Garton
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 29th day of September, 2004.

Linda V. Jones
Notary Public

MY COMMISSION EXPIRES: 7-23-05

(AFFIX SEAL)

**THIS INSTRUMENT WAS PREPARED BY**
David W. Kious, Attorney, 4733 Andrew Jackson Pkwy., Suite 1-C, Hermitage, TN 37076

**WARRANTY DEED**

| ADDRESS NEW OWNER(S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP-PARCEL NUMBERS |
|---|---|---|
| Philip Allen Garton and Kimberly D. Garton | ABN Amro Mortgage Group, Inc. | Map 108-16-0 |
| (NAME) | (NAME) | |
| 905 Hammack Drive | P.O. Box 57068 | Parcel 223.00 |
| (ADDRESS) | (ADDRESS) | |
| Nashville TN 37214 | Irvine, CA 92619-7068 | |
| (CITY) (STATE) (ZIP) | (CITY) (STATE) (ZIP) | |

FOR AND IN CONSIDERATION of the sum of TEN dollars, cash in hand paid by the hereinafter named GRANTEES, and other good and valuable considerations, the receipt of which is hereby acknowledged, **KEITH R. FOWLKES, MARRIED,** hereinafter called the GRANTORS, have bargained and sold, and by these presents do transfer and convey unto **PHILIP ALLEN GARTON AND WIFE, KIMBERLY D. GARTON**, hereinafter called the GRANTEES, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

Land in Davidson County, Tennessee, being all of Lot No. 173A, on the Plan of the Zone Lot Division, Percy Priest Woods, Section 4, Lots 172-180, as shown by plat appearing of record in Plat Book 6250, Page 993, revising Plat Book 6250, Pages 356-357, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lot.

Being the same property conveyed to Keith R. Fowlkes, unmarried, by Warranty Deed dated April 17, 2000 of record in Instrument No. 20000426-0041423, Register's Office for Davidson County, Tennessee.

This conveyance is subject to the following: Restrictive Covenants of record in Book 5984, Page 865, as amended of record in Book 6020, Page 270; Sanitary Sewer Easement of record in Book 7430, Page 167 and Book 7430, Page 201; and, any and all matters shown on plat of record in Plat Book 6250, Page 993, revising Plat Book 6250, Pages 356-357; all in the Register's Office for Davidson County, Tennessee.

Stephanie H. Fowlkes, spouse of Keith R. Fowlkes, hereby joins in this conveyance for the purpose of conveying to the Grantee(s) any and all interest that he/she may have in said property, including but not limited to the marital interest.

Unimproved ( )
This is improved ( X ) property, known as 905 Hammack Drive, Nashville, TN 37214
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and Grantor covenants with the said GRANTEES that he is 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 except for the current year property taxes which are being prorated between the parties and Grantees agreeing to pay said tax when due; and Grantor further covenants and binds himself, his heirs and assigns, to warrant and forever defend the title to the said land to the said GRANTEES, 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.

Davidson County DEEDWARR
Recvd: 09/30/04 10:55 3pgs
Fees:18.00 Taxes:340.40
20040930-0117783

**Witness our hands this 29th day of September, 2004.**

Keith R. Fowlkes

Stephanie H. Fowlkes

STATE OF Tennessee

COUNTY OF Davidson

Before me, the undersigned Notary Public, personally appeared Keith R. Fowlkes, and Stephanie H. Fowlkes, who are known to me or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the foregoing instrument for the purposes therein contained.

**Witness my hand and official seal, this 29th day of September, 2004.**

Notary Public

My Commission Expires: 1-23-05

LINDA V. JONES
NOTARY PUBLIC AT LARGE
WILSON COUNTY, TENN.

(SEAL)

Mail After Recording To:
David W. Kious
Southern Title Services, LLC
4733 Andrew Jackson Pkwy., Suite 1-C
Hermitage, TN 37076

# AFFIDAVIT STATING THAT NO CHILD OR SPOUSAL SUPPORT IS DUE AND INDEMNITY AGREEMENT

STATE OF TENNESSEE

COUNTY OF Davidson

I/We, the undersigned, being parties to a real estate transaction being conducted on this the day and date contained in the notarization of this instrument, after being duly sworn make oath as follows:

**I/WE DO NOT OWE ANY DELINQUENT CHILD OR SPOUSAL SUPPORT AT THE PRESENT TIME.**

**I/WE UNDERSTAND THAT IF I/WE OWE BACK CHILD OR SPOUSAL SUPPORT, THE SAME HAS TO BE PAID AT THE TIME OF THIS REAL ESTATE TRANSACTION AND THAT SOUTHERN TITLE SERVICES, LLC AND CHICAGO TITLE INSURANCE COMPANY ARE RELYING ON THIS AFFIDAVIT IN CONVEYING AND INSURING THE TITLE TO THE SUBJECT PROPERTY.**

I/We agree to hold harmless, indemnify and/or defend (by counsel of indemnitee's choice) Southern Title Services, LLC, Chicago Title Insurance Company, and the Lender (if any) in this transaction, their respective successors and/or assigns, agents, and employees, from any and/or claims, costs, expenses and liabilities which may occur as a result of the reliance upon this affidavit and such affidavit proves to be false.

The real estate and improvements referred to herein are situated in the County of Davidson, State of Tennessee, and are described as follows, to-wit:
905 Hammack Drive, Nashville, TN 37214

Date: September 29, 2004

Keith R. Fowlkes

STATE OF TENNESSEE

COUNTY OF Davidson

Sworn to and subscribed before me this the 29th day of September, 2004.

My Commission Expires: 7-23-05

Notary Public

LINDA V. JONES
NOTARY PUBLIC AT LARGE
WILSON COUNTY, TENN.