3143 Gallatin Pk

Davidson County DEEDWARR
Recvd: 10/01/04 15:44 3pgs
Fees:18.00 Taxes:1887.00

20041001-0118845

THIS INSTRUMENT PREPARED BY: **George V. Crawford, Jr.** **GULLETT, SANFORD, ROBINSON & MARTIN, PLLC** 315 DEADERICK STREET, SUITE 1100 P. O. BOX 198888 NASHVILLE, TENNESSEE 37219-8888 (615) 244-4994	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater, for this transfer is $510,000.00. Benjamin H. Caldwell Affiant Subscribed and sworn to before me, this 1 day of October, 2004. Notary Public My Commission Expires:

GEORGE V. CRAWFORD, JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007

Address New Owner As Follows:	Send Tax Bills To:	Map-Parcel Number:
Benjamin H. Caldwell and wife, Gertrude S. Caldwell 702 Bowling Ave., #H Nashville, TN 37215	SAME	117-01-0A 003.00CO 7DA 02221

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 Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **BARBARA M. ROSSER, NOW MERZ**, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto **BENJAMIN H. CALDWELL AND WIFE, GERTRUDE S. CALDWELL**, hereinafter called the Grantees, their 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. 4-A on the Plan of Bowling Square, Section One, of record in Book 4660, page 44, Register's Office for said County, as revised in Book 4860, page 51, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Vernon L. Rosser and wife, Barbara Ruth Rosser by deed from Ruth G. Martin, of record in Book 9115, page 126, Register's Office for Davidson County, Tennessee. Vernon L. Rosser and Barbara M. Rosser having conveyed their interest in subject property to the Rosser Family Partnership, L.P., of record in Book 9658, page 654, Register's Office for said County. The Ross Family Partnership, LP having amended its name to VBR Holdings, L.P., by Instrument No. 20001026-0106184, Register's Office for said County, and VBR Holdings, LP, a Tennessee limited partnership conveyed all interest to Sandra Y. Trail, Trustee, of record as Instrument No. 20031029-0159028, Register's Office for Davidson County, Tennessee, and within the same Instrument conveyed to Barbara M. Rosser, Trustee of the Barbara M. Rosser Living Trust dated April 10, 1995; Barbara M. Rosser, as Trustee of the Family Subtrust under the Vernon L Rosser Livng Trust dated April 10, 1995 and Barbara M. Rosser, Trustee of the Spouse Subtrust under the Vernon L. Rosser Living Trust dated April 10, 19095. By quitclaim deed of record as Instrument No. 20031029-0159029, said Register's Office, Barbara M. Rosser, Trustee of the Barbara M. Rosser Living Trust dated April 10, 1995, conveyed all interest in subject property to Barbara M. Rosser, now known as Barbara Martin Rosser Merz. By quitclaim deed of record as Instrument No. 20031029-0159030, said Register's Office, Barbara M. Rosser, Trustee of the Family Subtrust under the Vernon L. Rosser Living Trust dated April 10, 1995, conveyed all interest in subject property to Barbara M. Rosser, now known as Barbara Martin Rosser Merz. By quitclaim deed of record as Instrument No. 20031029-0159031, said Register's Office, Barbara M. Rosser, Trustee of the Spouse Subtrust under the Vernon L. Rosser Living Trust dated April 10, 1995, conveyed all interest in subject property to Barbara M. Rosser, now known as Barbara Martin Rosser Merz.

It is hereby agreed and understood that Barbara Ruth Rosser, Barbara Martin Rosser, Barbara M. Rosser and Barbara M. Rosser Merz, is one and the same person.

Subject property is not and has never been the usual place of the Grantor's spouse.

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

This conveyance is made subject to:

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

2. Matters shown on the Plan of record in Book 4660, page 44, as revised in Book 4860, page 51, Register's Office for said County.

3. Master Deed establishing a Horizontal Property Regime of record in Book 4724, page 753, Register's Office for said County, as amended at Book 4932, page 150, Register's Office for Davidson County, Tennessee.

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

This is improved property known as 702 Bowling Av., #H, Nashville, TN 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 Grantees, their heirs and assigns, forever; and we covenant with the said Grantees 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 Grantees, their heirs and assigns, against the lawful claims of all person whomsoever.

WITNESS my hand this 15th day of October, 2004.

Barbara M. Rosser Merz

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **BARBARA M. ROSSER MERZ**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 15th day of October, 2004.

Notary Public

My Commission Expires: _____

