PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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W & I Ref: Title No: 45803

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 10/04/04 10:58 3pgs
Fees:18.00 Taxes:506.90
20041004-0119094

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Nancy Irene Howell 3415 West End Ave. #312 Nashville, Tennessee 37205	SunTrust Mortgage, Inc. 201 Fourth Ave. N/7th Floor Nashville, Tennessee 37219

TAX MAP-PARCEL NUMBERS: 104-6-A-24.00

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$137,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Joseph Gilbert III, Trustee of the Joseph Gilbert, III Living Trust and Cindy Gilbert and Lucy Gilbert**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Nancy Irene Howell** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

A Condominium Apartment in Davidson County, Tennessee, being Unit No. 312 of The Continental Condominiums, a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on The Plan to the Master Deed of record in Book 5200, page 399 Register's Office for said County, to which source reference is hereby made for more complete details of description, together with the said Apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

Being the same property conveyed to Cindy Gilbert, Lucy Gilbert and Joseph Gilbert, III by Quitclaim Deed from Harris Gilbert, Trustee, Joe Gilbert, Jr. and wife, Letty-Lou Gilbert of record in Book 9260, Page 408. By Quitclaim Deed of record in Doc. No. 20040429-0048686 Register's Office for said County. The said Joseph Gilbert, III conveyed all of his interest in subject property to The Joseph Gilbert, III Living Trust Dated March 10, 2004.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2005, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 5200, Page 399, said Register's Office, which Plan shows minimum building set back lines and easements and to which Plan reference is hereby made for a more complete description.: The provisions of the condominium Master Deed of record in Book 5862, page 589, Book 5862, Page 682, Book 6135, Page 788, Book 6435, page 549, Book 7461, Page 217, said Register's Office, which submits said property to a Horizontal Property Regime pursuant to the provisions of the Tennessee Horizontal Property Act and sets forth restrictions, assessments, liens and other matters.

This instrument is executed on behalf of Cindy Gilbert and Lucy Gilbert by Joseph Gilbert, III as Attorney in Fact pursuant to Power of Attorneys being recorded simultaneously herewith. The affidavit of said Attorney in Fact is attached as "Exhibit A' to this instrument and incorporated herein by reference.

This is improved property, known as: 3415 West End, Nashville, Tennessee 37205

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, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 1st day of October, 2004 .

Joseph Gilbert III, Trustee of the Joseph Gilbert, III Living Trust

Cindy Gilbert by: Joseph Gilbert, III, Atty-In-Fact

Lucy Gilbert by: Joseph Gilbert, III, Atty-In-Fact

State of TENNESSEE
County of DAVIDSON

On this 1st day of October, 2004 , before me the undersigned authority, personally appeared **Joseph Gilbert, III** , to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____

Notary

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires MAY 24, 2008

State of TENNESSEE
County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $137,000.00

Affiant

Sworn and subscribed before me this 1st day of October, 2004

My Commission Expires: _____

Notary Public

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires MAY 24, 2008

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named , **Joseph Gilbert, III** with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of Cindy Gilbert and Lucy Gilbert , as Attorney-in-Fact, as the free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this 1st day of October, 2004

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

My Commission Expires MAY 24, 2008

EXHIBIT "A"
To
Warranty Deed

FROM: Joseph Gilbert III, Trustee of the Joseph Gilbert, III Living Trust and Cindy Gilbert and Lucy Gilbert

TO: Nancy Irene Howell

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited is executed by the undersigned as attorney-in-fact for the principal(s) thereon shown.

2. That this execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. Pursuant to the provisions of *Tennessee Code Annotated,* Section 34-6-105(c), of the Uniform Durable Power of Attorney Act, the undersigned Affiant certifies that at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Joseph Gilbert, III, Affiant

Sworn to and subscribed before me this

1st day of October, 2004

Notary Public

My Commission Expires:

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 24, 2008