Davidson County DEEDWARR
Recvd: 10/04/04 14:54 3pgs
Fees:17.00 Taxes:340.40
20041004-0119294

PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

WARRANTY DEED

THIS INDENTURE is made and entered into this 15th day of **October, 2004, by and between MICHAEL COTHERN, A MARRIED MAN, hereinafter called Grantor, and STEPHANIE RUST, SINGLE WOMAN, hereinafter called Grantee.**

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which are hereby acknowledged, MICHAEL COTHERN, A MARRIED MAN, as Grantor, does hereby bargain, sell, transfer and convey unto STEPHANIE RUST, SINGLE WOMAN, hereinafter referred to as Grantee, her successors, heirs and assigns, all of that certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantor in and to all buildings and fixtures located on said real estate, and any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (collectively, the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is improved property known as 1309 NEELY'S BEND CIRCLE, MADISON, TENNESSEE 37115.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, her successors, heirs and assigns forever. The Grantor covenants and agrees with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantor further covenants and binds himself and his successors, heirs and assigns, to warrant and forever defend the title to said Grantee, her successors, heirs and assigns, against the lawful claims of all person whomsoever.

DONNA M. COTHERN, wife of MICHAEL COTHERN, the Grantor herein, joins in the herein conveyance for the sole purpose of conveying any right, title and interest she may have in and to the property described herein, marital or otherwise.

WITNESS the hand and seal of Grantor on the day and year first above written.

Michael Cothern
MICHAEL COTHERN
Signature of Seller

Donna M. Cothern
DONNA M. COTHERN
Signature of Seller Spouse

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **MICHAEL COTHERN and his wife, DONNA M. COTHERN,** the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and office, this 1st day of **October, 2004.**

BARBARA BLACK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Barbara Black
Notary Public

My Commission Expires:

My Commission Expires NOV. 26, 2005

Name and Address of Property Owner:

STEPHANIE RUST, SINGLE WOMAN

~~1309 NEELY'S BEND CIRCLE~~ 609 Ward Circle
~~MADISON, TENNESSEE 37115~~ Old Hickory, TN 37138

Property Address:

1309 NEELY'S BEND CIRCLE
MADISON, TENNESSEE 37115

Person Responsible for Taxes:

SAME

Map & Parcel #: MAP 52-16, PARCEL 113

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$92000** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Stephanie Rust
Affiant

Sworn to and subscribed before me, a Notary Public, this **1st** day of **October, 2004.**

Kimberly R. Hargrove
Notary Public

My Commission Expires: 6-22-08

KIMBERLY R. HARGROVE NOTARY PUBLIC AT LARGE RUTHERFORD CO., TN

RETURN TO:

SERENITY TITLE & ESCROW, LLC

SERENITY TITLE & ESCROW, LLC.
114 WHITE CLOUD TR.
MURFREESBORO, TN 37127
(615) 234-9045

EXHIBIT 'A'

Land in Davidson County, Tennessee, being Lot No. 1, on the plan of Neely's Bend Subdivision, Section 1, as shown on plat of record in Plat Book 5210, page 82, in the Register's Office of Davidson County, Tennessee, to which is hereby made for a more particular description.

Being the same property conveyed to MICHAEL COTHERN, A MARRIED MAN, by Warranty Deed from MARVIN H. LANHAM, JR. AND CAROLYN A. LANHAM, HUSBAND AND WIFE, of record in Instrument Number 20030130-0012874, Register's Office for DAVIDSON County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2005 and subsequent years, A LIEN, not yet due and payable (MAP 52-16, PARCEL 113).

2. All matters as set forth on the Plan of Neelys Bend Subdivision, Sec. 1, of record in Plat Book 5210, page 82, said Register's Office, which plan includes a 30-foot minimum building setback line from EAST CEDAR; a 20-foot minimum building setback line from neely's Bend Circle; and a 10-foot public utility and drainage easement along the rear lot line.