THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **First Title & Escrow Co., Inc.** **FTEC File No. 23341-08-2004** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $575,000.00. Affiant Subscribed and sworn to before me this 30th day of September, 2004. Notary Public My Commission Expires:

GEORGE E. MUDTER, JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008

WARRANTY DEED

Address New Owner: Donald I. N. McKenzie Louise F. McKenzie 49 Concord Park East Nashville, TN 37205	**Send Tax Bills To:** NEW OWNER	**Tax Information:** Map No.116.08-0B Parcel No. 049.00 CO

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Bill Beard and Ann Beard, both unmarried**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Donald I. N. McKenzie and wife, Louise F. McKenzie** ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at 49 Concord Park East, Nashville, TN 37205

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its successors, heirs and assigns, forever.

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 30th day of September, 2004.

Bill Beard

Ann Beard

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Bill Beard and wife, Ann Beard**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 30th day of September, 2004.

Notary Public

My Commission Expires:

GEORGE E. MUDTER, JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008

Davidson County DEEDWARR
Recvd: 10/05/04 14:48 2pgs
Fees:13.00 Taxes:2127.50

20041005-0119947

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 49 on the Plan of Revision No. 2 Sugartree Phase #2, as of record in Plat Book 4860, pages 79 and 80, amended in Book 5005, page 144, Book 5010, page 117, Book 5015, page 550, Book 5072, page 165, Book 5084, page 960, Book 5121, page 89, Book 5122, page 326, Book 5169, page 426, Book 5191, page 412, Book 5222, page 468 and Book 5238, page 93, Register's Office for said County, to which plan reference is made for amore complete description.

Being the same property conveyed to Bill Beard and wife, Ann Beard by deed dated January 16, 2001 from George W. Sullivan and wife, Sylvia C. Sullivan of record as Instrument No. 20010117-0005085, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. Declaration of Covenants, Conditions and Restrictions for Sugartree of record in Book 4857, page 157, made applicable in Book 4874, page 463, amended in Book 4911, page 356, Book 4996, page 126, Book 5003, page 688, Book 5087, page 220, Book 5152, page 401, Book 5514, page 138, Book 5691, page 61 and amended and restated in Book 11758, page 466, Register's Office for Davidson County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates tohandicap, but does not discriminate against handicapped persons).
2. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 7061, page 100, Register's Office for Davidson County, Tennessee.
3. All matters appearing on the Plan of record as Plat Book 4860, pages 79 and 80, amended in Book 5005, page 144, Book 5010, page 117, Book 5015, page 550, Book 5072, page 165, Book 5084, page 960, Book 5121, page 89, Book 5122, page 326, Book 5169, page 426, Book 5191, page 412, Book 5222, page 468 and Book 5238, page 93, Register's Office for Davidson County, Tennessee.