B0436

RECORD & RETURN TO:
FILE BOX 36, Davidson County

WARRANTY DEED

Davidson County DEEDWARR
Recvd: 10/08/04 14:54 3pgs
Fees:18.00 Taxes:203.50
20041008-0122132

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $55,000.00.

Affiant

Subscribed and sworn to me 6th day of October, 2004.

NOTARY PUBLIC

DIANN OWENS Notary Public At Large DAVIDSON COUNTY, TENN.

My Commission Expires November 24, 2007

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Sebastian
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #20403

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Don B. Smithson Susan E. Smithson 6517 Windy Hill Court Brentwood, TN 37027	SAME	173-9-A-224 CO

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Lenox Village I, LLC, a Tennessee limited liability company, hereinafter called **"GRANTOR,"** have bargained and sold, and these presents does transfer and convey unto Don B. Smithson and wife, Susan E. Smithson, hereinafter called **"GRANTEES,"** their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Land in Davidson County, Tennessee, being Lot No. 170, on the Plan of Phase "B", Lenox Village, as of record in Instrument No. 20031024-0157237, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being part of the same property conveyed to Lenox Village I, LLC, by deed from Louis J. Resha, Jr., Raymond M. Resha and SunTrust Bank, a Georgia Corporation (successor interest to SunTrust Bank, Nashville, N.A.) as Successor Trustee under the Last Will and Testament of Annie Davis Resha, of record as Instrument No. 20010703-0070464, Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2004 Davidson County taxes which have been prorated by the parties and paid by the Grantor; 2005 and subsequent Davidson County taxes are assumed by the Grantees; and
2. Matters shown on plan of record as Instrument No. 200310247-0157237, Register's Office for Davidson County, Tennessee; and

3. Charter of the Lenox Village Town Center Association, Inc., of record as Instrument No. 20031016-0153550, Register's Office for Davidson County, Tennessee; and
4. Master Deed and Restrictions of record as Instrument No. 20020315-0032825, in said Register's Office and Supplemental Master Deed Restrictions of record as Instrument No. 20021226-0158459, in said Register's Office; and
5. Declaration of Charter, Easements, Covenants and Restrictions for the Residential Neighborhood of record as Instrument No. 20020315-0032826 in said Register's Office, and Supplemental Declaration of Charter of record as Instrument No. 20021226-0158458, in said Register's Office; and
6. Ingress/Egress Easement reserved in Instrument No. 20010103-0000902, in said Register's Office; and
7. Easement for sanitary sewer, water mains and appurtenances of record as Instrument No. 20011129-0130322, in said Register's Office; and
8. Storm Water Detention Agreement granted to the Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 7361, page 230 and as Instrument No. 20020408-0042676, Register's Office for Davidson County, Tennessee; and
9. Charter of Lenox Village Neighborhood Association, Inc., of record as Instrument No. 20020412-0045831, in said Register's Office; and
10. Access Easement retained by the Lord's Chapel Church as set out in Deed of record as Instrument No. 20010103-0000902, Register's Office for Davidson County, Tennessee; and
11. Sanitary Sewer and/or Storm Drainage Easement of record in Book 7985, page 449, Register's Office for Davidson County, Tennessee; and
12. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.

This property is also known as unimproved property: Lot 170, Lenox Village, Phase B, Nashville, Davidson County, Tennessee.

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, theirs heirs and assigns, forever, and GRANTOR does covenant with the said GRANTEES that it is lawfully seized 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; and GRANTOR does further covenant and bind itself, its successors 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.

WITNESS our hands on October 6, 2004.

Lenox Village, I, LLC, a Tennessee Limited Liability Company:

By: _____

Title: _____

STATE OF TENNESSEE]
COUNTY OF DAVIDSON]

Before me, the undersigned, a Notary Public in and for State and County aforesaid, personally appeared DAVID C. McCOMB, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Chairman (Officer) of Lenox Village I, LLC, a Tennessee limited liability company, the within named bargainor, and that he, as Chairman (Officer) of the limited liability company, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chairman of the limited liability company.

WITNESS my hand and official seal at Nashville, Tennessee, the day and year first above written.

Notary Public

My commission expires: 3/22/08

RICHARD W. SEBASTIAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Richard W. Sebastian
My Commission Expires
March 22, 2008
STATE OF TENNESSEE