PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

Woodmont Centre, Suite 100
104 Woodmont Blvd.
Nashville, TN 37205
Ph. (615) 298-3312 - Fax. 292-8746
E-mail: *main@wilkinsandivey.com*

Davidson County DEEDWARR
Recvd: 10/13/04 15:18 3pgs
Fees:18.00 Taxes:10841.00
20041013-0123589

W & I Ref: Title No: 45901

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Equitable Trust Company, Trustee, TUA Dorothy F. Boensch 4400 Harding Road Suite 310 Nashville, Tennessee 37205	Same

TAX MAP-PARCEL NUMBERS: 130-10-101

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$2,930,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Nancy H. Allen**, married hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Equitable Trust Company, Trustee, TUA Dorothy F. Boensch** 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:**

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of Resubdivision of Lots 1-3 and 40-43 Revised Plat of the New Golf Club Subdivision, as of record in Plat Book 6900, page 539, 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 Nancy H. Allen by deed from Michael Gigandet, Trustee in Bankruptcy for the chapter 7 estate of Vaughan Arthur Allen of record in Doc. No. 20030509-0062889, Register's Office for Davidson County, Tennessee.

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 2004, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 6900 Page 539, said Register's Office, which Plan shows a minimum building setback line and an easement to which Plan reference is hereby made for a more complete description thereof. Easement for sanitary sewer to the City of Belle Meade of record in book 5850, Page 930, said Register's Office.

Vaughan A. Allen, spouse of Nancy H. Allen joins in this conveyance solely to convey any and all marital interest he may have in the above-described property.

This instrument is executed on behalf of Vaughan A. Allen by Nancy H. Allen as Attorney in Fact pursuant to a Power of Attorney 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: 4406 Tyne, 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 30th day of September, 2004 .

Nancy H. Allen
Nancy H. Allen

Vaughan A. Allen, by Nancy H. Allen, Atty-in-fact
Vaughan A. Allen, by Nancy H. Allen, Atty-In-Fact

State of TENNESSEE
County of DAVIDSON

On this 30th day of September, 2004 , before me the undersigned authority, personally appeared Nancy H. Allen, 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 PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary

State of TENNESSEE My Commission Expires JULY 21, 2007
County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $2,930,000.00

EQUITABLE TRUST COMPANY, Trustee
BY:
Affiant

Sworn and subscribed before me this 30th day of September, 2004

Janet L. Fusek
Notary Public

My Commission Expires: My Commission Expires JULY 30, 2005

JANET L. FUSEK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

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 , **Nancy H. Allen** 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 Vaughan A. Allen , 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 30th day of September, 2004

Notary Public

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007

EXHIBIT "A"
To
Warranty Deed

FROM: Nancy H. Allen

TO: Equitable Trust Company, Trustee, TUA Dorothy F. Boensch

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.

Nancy H. Allen
Nancy H. Allen, Affiant

Sworn to and subscribed before me this

30th day of September, 2004

Notary Public

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007