Name and Address of New Owners:
Jerry N. Smith and wife,
Mary Louise Smith

245 Hillcrest Drive
Madison, TN 37115

Send Tax Bills to:
Same as New Owners

TAX ID NUMBERS:

Map 82-3
Parcel 147

Davidson County DEEDWARR
Recvd: 10/14/04 15:01 3pgs
Fees:18.00 Taxes:11.10
20041014-0124082

SPECIAL WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, **SouthTrust Bank** ("Grantor"), has bargained and sold, and hereby transfers and conveys to **JERRY N. SMITH AND WIFE, MARY LOUISE SMITH,** ("Grantees"), their successors, heirs and assigns, certain land in Davidson County, Tennessee, being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

TO HAVE AND TO HOLD the said property with all appurtenances, estate, title and interest thereto belonging to Grantees, their successors, heirs, and assigns forever.

This conveyance of the Property and all covenants and warranties contained herein, are made expressly subject to the following:

Subject to property taxes for 2005 and subsequent years, not yet a lien, further subject to notes, easements, building setback lines, etc., if any, as may be set forth on the Plan of V. S. Lindsley's Addition to Edgefield, now East Nashville, as of record in Book 57, Page 25, Register's Office for .

Grantor covenants with Grantees that the Property is free from all encumbrances made by Grantor, except as may be set forth herein.

Grantor further covenants to warrant and forever defend title to the Property to Grantees their successors, heirs and assigns against the lawful claims of all persons claiming by, through, or under Grantor. Notwithstanding anything to the contrary contained herein, Grantor shall warrant and defend title only against title defects (if any) which originated while Grantor held title to the subject property.

Executed this the 7th day of October, 2004.

SouthTrust Bank

By: Karen Moore
TITLE SVP

Attest:

By: Cheryl Lawhon
TITLE V.P.

SEE NEXT PAGE FOR NOTARY ACKNOWLEDGEMENTS

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned authority, a Notary Public within and for the State and County aforesaid, personally appeared Geren Moor and Cheryl Lankford with whom I am personally acquainted and who upon their (his, her, their) oath(s) acknowledged themselves (himself, herself, themselves) to be the Senior Vice President and Vice President respectively of SouthTrust Bank the within named bargainor, a corporation, and that Geren Moor as such Sr Vice President and Cheryl Lankford as such Vice President being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by the said SouthTrust Bank as such Sr Vice President and attesting the same by the said SouthTrust Bank as such Vice President.

Witness my hand and official seal at office at Nashville, Tennessee, on this the 7 day of October, 2004.

Notary Public

My Commission Expires: MY COMMISSION EXPIRES August 25, 2007

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer or value of the property transferred, whichever is greater, is 3,000.00.

Affiant

Subscribed and sworn to before me
This 7th day of October, 2004.

Notary Public

My Commission Expires: 3-14-07

JENNIFER GREGORY
NOTARY PUBLIC AT LARGE
ROBERTSON COUNTY, TENN.
MY COMMISSION EXPIRES MARCH 14, 2007

Return To: and
THIS INSTRUMENT PREPARED BY:
DEANIE L. GREGORY
ATTORNEY-AT-LAW
GREATER NASHVILLE TITLE & CLOSING COMPANY
200 MADISON STREET
MADISON, TN 37115

"Exhibit A"

Land in Davidson County, Tennessee, being Lot No. 123 on the Plan of V. S. Lindsley's Addition to Edgefield, now East Nashville, as of record in Book 57, Page 25, Register's Office for Davidson County, Tennessee to which plan reference is here made for a complete description thereof.

Being the same property conveyed to SouthTrust Bank by Substitute Trustee's Deed from Amy Smith, Trustee of record as Instrument #20031016-0153461, Register's Office for Davidson County, Tennessee.

THIS IS IMPROVED PROPERTY KNOWN AS 833 NORTH SECOND STREET, NASHVILLE, TN 37207