THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **FTEC File No. 23502-10-2004** **Record & Return To:** Watauga Title Company 155 Franklin Road, Suite 120 Brentwood, TN 37027	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $1,050,000.00. Affiant Subscribed and sworn to before me this 13th day of October, 2004. Notary Public My Commission Expires:

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

My Commission Expires JULY 19, 2008

WARRANTY DEED

Address New Owner: Scott McWilliams Elaine McWilliams 809 Foster Hill Nashville, TN 37215	**Send Tax Bills To:** National City Mortgage 3232 Newmark Dr Miamisburg OH 45342	**Tax Information:** Map No.117-13-0-B Parcel No. 172.00

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, **Old South Development, LLC, a Tennessee Limited Liability Company**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Elaine C. McWilliams** ("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 809 Foster Hill, Nashville, TN 37215

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 13th day of October, 2004.

Davidson County DEEDWARR
Recvd: 10/15/04 15:00 2pgs
Fees:13.00 Taxes:3885.00
20041015-0124494

Old South Development, LLC, a Tennessee Limited Liability Company

BY: _____
Jeffrey N. Kinman, Manager

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Before me, the undersigned, of the State and County aforesaid, personally appeared Jeffrey N. Kinman, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Manager of Old South Development, LLC., A Tennessee Limited Liability Company, the within named bargainor, and that he as such Manager executed the foregoing instrument for the purposes therein contained, by signing the name of Old South Development, LLC, a Tennessee Limited Liability Company by himself as Manager. Witness my hand and official seal, at Nashville, Tennessee, this 13th day of October, 2004.

Notary Public

My commission expires:

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

My Commission Expires JULY 19, 2008

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 809 on the Plan of Abbottsford Phase 2, Revision 1, as of record in Instrument No. 20010502-0044874 as revised in Instrument No. 20020305-0027572 and corrected in Instrument No. 20020828-0104512, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Old South Development, LLC, a Tennessee Limited Liability Company by deed dated, October 13, 2004 from Jeffrey N. Kinman, d/b/a Old South Development of record in Instrument No. 20041015-0124493, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 City/County Taxes which have been paid by the Grantor and prorated by the parties.
2. Restrictive covenants for Abbotsford contained in an instrument of record in Book 6537, page 303, as amended in Book 6576, page 509 and Book 6578, page 302, 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 to handicap, but does not discriminate against handicapped persons).
3. Declaration of Covenants, Conditions and Restrictions for Abbottsford Homeowner's Association, Inc. of record in Book 8106, page 1, as amended in Book 8627, page 254, Book 9381, page 876, Book 10458, page 810, and Instrument No. 20010330-0030930, and supplemented in Instrument No. 20010502-0045152., 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).
4. Declaration of Restrictive Covenants and Reciprocal Easements dated, January 21, 1985, of record in Book 6478, page 177 as amended in Book 6530, page 242, 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 to handicap, but does not discriminate against handicapped persons).
5. Charter of Incorporation of Abbottsford Homeowners Association, Inc. of record in Book 6548, page 213, Register's Office for Davidson County, Tennessee.
6. All matters appearing on the Plan of record as Instrument No. 20010502-0044874 as revised in Instrument No. 20020305-0027572 and corrected in Instrument No. 20020828-0104512, Register's Office for Davidson County, Tennessee.
7. A Subdivision Plat of the Frank R. Leo Property of record as Book 6250, page 418, Register's Office for Davidson County, Tennessee.
8. Water Line Easements of record in Book 1286, page 690, and Book 1037, page 572 and Book 5128, page 953., Register's Office for Davidson County, Tennessee.
9. Metropolitan Ordinances BL 2000-545 and BL 2000-546 of record in Minute Book 61, page 295, in the Office of the Metropolitan Council of the Metropolitan Government of Nashville and Davidson County, Tennessee.
10. Easement for gas service line of record in Book 7272, page 746, Register's Office for Davidson County, Tennessee.
11. Easement for underground utility easement of record in Book 8643, page 272, Register's Office for Davidson County, Tennessee.
12. Storm water detention agreement of record in Book 6555, page 328 and Instrument No. 20010425-0040838, Register's Office for Davidson County, Tennessee.