Prepared by:
Centennial Title Company, Inc.
30 Burton Hills Blvd., #165
Nashville, TN 37215

39-B
File #04-1425

Davidson County DEEDWARR
Recvd: 10/26/04 15:25 2pgs
Fees:13.00 Taxes:614.20
20041026-0128861

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Kurt L. Wallach and Marilyn G. Wallach, as Trustees of the Amendment and Restatement of the Kurt L. Wallach Living Trust dated December 8, 1996 and Marilyn G. Wallach and Kurt L. Wallach, as Trustees of the Amendment and Restatement of the Marilyn G. Wallach Living Trust dated December 8, 1996, as tenants in common, with full power to buy, sell, lease, mortgage and encumber without the joinder of any beneficiary,** hereinafter called the Grantor, has bargained and sold, and by these presents does hereby transfer and convey unto **Terry Rose and Thayne Fugal,** ,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 Unit No. 40 on the plan of Rutledge House Condominiums of record in Book 6200, page 318, as revised in Book 11700, page 26, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

Being the same property conveyed to Kurt L. Wallach and Marilyn G. Wallach, as Trustees of the Amendment and Restatement of the Kurt L. Wallach Living Trust dated December 8, 1996 and Marilyn G. Wallach and Kurt L. Wallach, as Trustees of the Amendment and Restatement of the Marilyn G. Wallach Living Trust dated December 8, 1996, as tenants in common, with full power to buy, sell, lease, mortgage and encumber without the joinder of any beneficiary, by Special Warranty Deed from Rutledge House, G.P., dated 12/20/02, of record in Instrument No. 20021220-0157802, re-recorded in Instrument No. 20030106-0001876, Register's Office, Davidson County, Tennessee.

The property conveyed herein is subject to matters shown on the recorded plan, and to applicable easements and restrictions of record, and Property Taxes for the current year.

This is improved property, known as: 12 Middleton Street, Nashville TN 37210.

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 covenant with the said Grantee that Grantor is lawfully seized and possessed of said of said land in fee simple, has 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. 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 THE EXECUTION HEREOF this 20th day of October, 2004

Kurt L. Wallach, Trustee of the Amendment and Restatement of the Kurt L. Wallach Living Trust dated December 8, 1996 and as Trustee Of the Amendment and Restatement of the Marilyn G. Wallach Living Trust dated December 8, 1996

Marilyn G. Wallach, Trustee of the Amendment and Restatement of the Kurt L. Wallach Living Trust dated December 8, 1996 and as Trustee of the Amendment and Restatement of the Marilyn G. Wallach Living Trust dated December8, 1996

State of Florida
County of Indian River

On this 20th day of October, 2004, before me the undersigned, a Notary Public in and for said County and State, personally appeared before me the within named Kurt L. Wallach and Marilyn G. Wallach, the bargainor(s), 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.

Notary Public

My Commission Expires: [illegible]

DEBRA A. J. COBURN
MY COMMISSION # DD 226403
EXPIRES: June 25, 2007
1-800-3-NOTARY FL Notary Discount Assoc. Co.

State of Tennessee)
County of Davidson)

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 166,000.00.

Affiant

Sworn and subscribed before me on this the 20th day of October, 2004.

Notary Public

My Commission Expires: 7-30-05

NEW OWNER:
Terry Rose
Thayne Fugal
14 Middleton Street
Nashville, TN 37210

RESPONSIBLE FOR TAX PAYMENT:
Chevy Chase Bank, FSB
7501 Wisconsin Ave., 6th Floor
Bethesda, MD 20814

TAX MAP-PARCEL #:
98-11-C-40CO

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED