20546

Box 36
11

RECORD & RETURN TO:
FILE BOX 36, Davidson County

WARRANTY DEED

Davidson County DEEDWARR
Recvd: 01/18/05 14:16 2 pg
Fees:13.00 Taxes:2942.69

20050118-0006149

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $795,322.11.

Robert A. Mallory
Affiant

Subscribed and sworn to me on January 14, 2005.

Sara G. Cox
NOTARY PUBLIC
MY COMMISSION EXPIRES 1/26/

LEE E. COX NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Sebastian
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #20546SP

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Robert A. Mallory Peggy A. Mallory 804 Alder Drive Nashville, TN 37220	SAME	132-14-84

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, Elite Homes, LLC, a Tennessee Limited Liability Company, hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto Robert A. Mallory and wife, Peggy A. Mallory, 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. 1, on the final plat of Alder Gate, as of record as Instrument No. 20020307-0029056, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.
>
> Being the same property conveyed to Elite Homes, LLC, a Tennessee Limited Liability Company by Deed from Alder Gate Development, Inc., a Tennessee Corporation, of record as Instrument No. 20040603-0065544, 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 Grantor; 2005 and subsequent taxes are assumed by the Grantees; and
2. Matters shown on plan of record as Instrument No. 20020307-0029506, Register's Office for Davidson County, Tennessee; and

3. Sanitary Sewer Easements of record in Book 7008, page 690 and Book 6369, page 93, Register's Office for Davidson County, Tennessee; and
4. Restrictive Covenants/Declaration of Covenants, Conditions, and Restrictions contained in an instrument of record in Instrument No. 20040212-0017009, Register's Office for Davidson County, Tennessee; and
5. 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 improved property located at 804 Alder Drive, Nashville, TN 37220.

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, their 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 January 14, 2005.

Elite Homes, LLC, a Tennessee Limited Liability Company:

By: Peggy A. Krebs, Chief Manager
Peggy A. Krebs, Chief Manager

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned authority, of the State and County aforesaid, personally appeared Peggy A. Krebs, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged herself to be the Chief Manager of ELITE HOMES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, the within named bargainor, and that she as such Chief Manager executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by herself as Chief Manager.

Witness my hand, at office, this 14th day of January, 2005.

NOTARY PUBLIC AT LARGE Amy Adams Gowan My Commission Expires November 25, 2006 STATE OF TENNESSEE

Amy Adams Gowan
NOTARY PUBLIC

My Commission Expires: