WARRANTY DEED

Davidson County DEEDWARR
Recvd: 01/21/05 12:44 2 pg
Fees:13.00 Taxes:446.21
20050121-0008075

This instrument prepared by
THE HOME CLOSING COMPANY, INC.
214 Centerview Drive Suite 225
Brentwood, TN 37027

OWNER:
Name **Jon E. Auer**
Address **646 Belgium Drive**
City/State/Zip **Hermitage, TN 37076**

SEND TAX BILLS TO:
Name **Union Planters Bank, N.A.**
Address **Dept 2520, PO Box 2153**
City/State/Zip **Birmingham, AL 35287-2520**

FOR AND IN CONSIDERATION of the sum of **$10.00**. **Capitol Homes Inc., a Tennessee Corporation** has this day bargained and sold, and does hereby transfer and convey unto **Jon E. Auer and Sandra A. Auer, Husband and Wife, their** heirs and assigns, hereinafter referred to as "grantees", whether one or more, certain real estate located in **DAVIDSON** County, State of **TENNESSEE**, as follows:

Land in Davidson County, Tennessee, Being Lot No. 28 on the Plan of Greer Meadows at Cedar Creek, First Revision, Section Three, Phase II, A Planned Unit Development, of record in Instrument Number 20040407-0039587, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a complete and accurate description of said lot.

Being a part of the same property conveyed to Capitol Homes, Inc., a Tennessee Corporation, by Warranty Deed from Southeastern Development Co., a TN general partnership, of record in Instrument Number 20040618-0072382, Register's Office for Davidson County, Tennessee.

This conveyance is subject to taxes for the year 2005 and subsequent years and all matters of record including restrictions, declarations, easements, dedications, agreements, memorandums, and assessments, as shown of record in the Register's Office for Davidson County, Tennessee.

Map-Parcel No.'s: 75-12OA-176-CO

This is improved property known as: 646 Belgium Drive, Hermitage, TN 37076.

TO HAVE AND TO HOLD said real estate, with appurtenances, estate, title and interest belonging to the said grantees, their heirs and assigns forever. **We** covenant that **we are** lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered.
We further covenant and bind **our** heirs and representatives, to warrant and forever defend the title to said real estate to said grantees, their heirs and assigns, against the lawful claims of all persons.

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

Capitol Homes Inc.

James Carden

James Carden, Sales Manager

STATE OF TENNESSEE
COUNTY OF Williamson

PERSONALLY APPEARED before me, Jeffrey C. horn, of the state and county mentioned, personally appeared James Carden, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be the Sales Manager of Capitol Homes Inc., the within named bargainor, a Corporation, and that such Sales Manager, executed the foregoing instrument for the purposes therein contained, by personally signing the name of the Corporation as Sales Manager.

WITNESS MY HAND and official seal at office, this **14th** day of **January, 2005**.

Commission expires **January 26, 2008**

Jeffrey C. Horn
Notary Public

JEFFREY C. HORN
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 26, 2008

STATE OF TENNESSEE
COUNTY OF **Williamson**

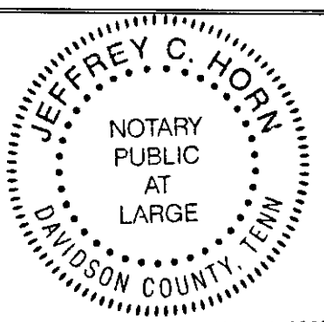
The actual consideration or value whichever is greater, for this transfer is **$120,597.00**

Affiant

Subscribed and sworn to before me, this the 14th day of January,2005.

My commission expires: 01/26/08

Notary Public - Register



My Commission Expires JAN. 26, 2008