THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **First Title & Escrow Co., Inc.** **FTEC File No. 23800-01-2005**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $234,000.00. Lauren Rickels Affiant Subscribed and sworn to before me this 15th day of February, 2005. Notary Public My Commission Expires: 7.29.07

WARRANTY DEED

Address New Owner: Paul Lively, Shanna Lively 517 Cold Stream Place Nashville, TN 37221	**Send Tax Bills To:** ~~New Owners~~ America's Whole-sale Lender P.O. Box 660694 Dallas, TX 75266	**Tax Information:** Map No.155.07-0B Parcel No. 010.00-CO

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, **James L. Webber and Mara C. Webber**, husband and wife ("Grantor"), have this day bargained and sold, and does hereby transfer and convey to **Paul Lively and wife Shanna Lively,** ("Grantee"), their successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

The said **James L. Webber** having since died on January 16, 2005.

This is improved property located at 517 Cold Stream Place, Nashville, TN 37221

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 15th day of February, 2005.

Mara C Webber
Mara C. Webber

Davidson County DEEDWARR
Recvd: 02/17/05 10:08 2 pgs
Fees:13.00 Taxes:865.80
20050217-0018070

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **James L. Webber and Mara C. Webber,** with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 15th day of February, 2005.

J. Michael Morgan
Notary Public

My Commission Expires: _____

J. MICHAEL MORGAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
J. Michael Morgan
My Commission Expires
July 30, 2005
STATE OF TENNESSEE

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. 50 on the Plan of Revision No. 1 Final Plat of the Poplar Creek Estates Phase V Section A Subdivision (The Highlands of Allens Green), as of record in Plat Book 9700, page 390 as revised in Book 9700, page 784, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to James L. Webber etux Mara C. Webber by deed dated 1/16/2004 from Kerry K. Finn, unmarried of record in Instrument No. 20040123-0009024, Register's Office for Davidson County, Tennessee. The said **James L. Webber** having since died on January 16, 2005.

This conveyance is made subject to:

1. 2005 City/County Taxes which have been prorated and assumed by the Grantee .
2. Declaration of Covenants, Conditions and Restrictions for Highlands of Allens Green Homeowner's Association, Inc. of record in Book 9472, page 824, Book 10425, page 93, Book 11356, page 662; Assignment of Developers rights of record in Book 11249, page 763 and as Instrument No. 20040524-0060854., 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. Dedication of common area to Highlands of Allens Green Homeowner's Association, Inc. of record in Instrument No. 20010412-0036264 and Instrument No. 20030513-0064544, Register's Office for Davidson County, Tennessee.
4. Charter of Incorporation of Highlands of Allens Green Homeowner's Association, Inc. of record in Book 10480, page 807, Register's Office for Davidson County, Tennessee.
5. All matters appearing on the Plan of record as Book 9700, page 390, as revised in Book 9700, page 784,, Register's Office for Davidson County, Tennessee.
6. Easement for Sanitary sewer of record in Book 6613, page 533, and Book 6613, page 536, Register's Office for Davidson County, Tennessee.
7. Easement for public water lines of record in Book 4817, page 784, Register's Office for Davidson County, Tennessee.
8. Storm water detention agreement of record in Book 6613, page 705, Register's Office for Davidson County, Tennessee.