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. 23798-01-2005** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $180,275.00. Affiant Subscribed and sworn to before me this 25th day of February, 2005. Notary Public My Commission Expires: My Commission Expires NOV. 24, 2007

WARRANTY DEED

Address New Owner: Kelly M. Martin 918 Tote Lane Nashville, TN 37211	**Send Tax Bills To:** New Owner	**Tax Information:** Map No.173-9-A Parcel No. 312.00

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, **Don B. Smithson, dba as Don B. Smithson Construction**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Kelly M. Martin, unmarried** ("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 918 Tote Lane, Nashville, TN 37211

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 25th day of February, 2005.

Don B. Smithson

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.: 413-04-9558

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

Witness my hand, at office, this 25th day of February, 2005.

Notary Public

My Commission Expires: _____

My Commission Expires NOV. 24, 2007

Davidson County DEEDWARR
Recvd: 03/01/05 15:58 2 pg
Fees:13.00 Taxes:667.02

20050301-0022635

EXHIBIT "A"

Land in Davidson County, Tennessee, being Lot No. . 268 on the Plan of Phase Four Lenox Village, as of record in Instrument No. 20040806-0094784, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being part of the same property conveyed to Don B. Smithson, dba as Don B. Smithson Construction by Deed dated 8/12/04 from Lenox Village I, LLC, a Tennessee limited liability company of record in Instrument No. 20040816-0098504, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2005 County Taxes which have been prorated and assumed by the Grantee.
2. Declaration of Covenants, Conditions and Restrictions for Lenox Village of record in Instrument No. 20020315-0032826, 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. Charter of Incorporation of Lenox Village Neighborhood Association, Inc. of record in Instrument No. 20020412-0045831, Register's Office for Davidson County, Tennessee.
4. Covenants, Conditions, Restrictions and Agreements, including the agreement to pay assessments for the maintenance of common areas, contained in the Master Deed (and By-Laws) for Lenox Village, of record in Instrument No. 20020315-0032825, Register's Office for Davidson County, Tennessee.
5. All matters appearing on the Plan of record as 20040806-0094784, Register's Office for Davidson County, Tennessee.
6. Storm water detention agreement of record in Book 7361, page 230 and in Instrument No. 20020408-0042676, Register's Office for Davidson County, Tennessee.