39-B 192

PREPARED BY (AND RETURN TO):

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W & I Ref:(_____) Title No: 46225
Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 04/15/05 10:59 3 pgs
Fees:18.00 Taxes:1772.30
20050415-0042132

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
John W. Clay III 136 Cheek Road Nashville, Tennessee 37205	SAME

TAX MAP-PARCEL NUMBERS: 129-12-123

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$479,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Robert M. Hutton and spouse, Jaqueline R. Hutton**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **John W. Clay III, married** 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, County, Tennessee, being Lot No. 9 of Block "A", 2nd Revised Plan Highlands of Belle Meade, No. 2, Blocks A,B,C,D of record in Book 1130, page 62, Register's Office Davidson County, and part of a street right-of-way formerly known as Cross Hill Road, closed by Metropolitan Council Bill 093-739, approved 8-18-93, and further described according to a mortgage loan inspection by Campbell, McRae and Associates, (John Alan Hood, RLS No. 836) dated 4/24/01 and attached hereto as Exhibit "A" as follows:

Said Property inclusive and said Lot No. 9 of Block "A" on said Plan, and the westerly 25 feet on the closed right of way, formerly known as Cross Hill Road, fronts 176 feet on the northeasterly margin of Cheek Road and extends back between parallel lines 200.00 feet to a dead line.

Being the same property conveyed to Robert M. Hutton and spouse, Jacqueline R. Hutton by deed from Phoebe B. Drews, married of record in Doc. No. 20010605-0058590, Register's Office for Davidson County, Tennessee.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2005, and subsequent years; The Plan, with Owner's Certificate, of record in Book 1130 Page 62, said Register's Office, which Plan shows a 50 foot minimum building setback line from Cheek Road and a 20 foot minimum setback line from Cross Hill Road and a 10 foot easement for public utility purposes along the rear line(s). Subject to any and all rights of way granted for utility, water, phone and/or any additional rights contained within the right of way formerly known as Cross Hill Road, closed by order of the Metropolitan Council Bill No. 093-739, approved 8-18-93.

This is improved property, known as: 136 Cheek Road, Nashville, Tennessee 37205

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 COVENANTS with the said Grantee that Grantor is lawfully seised 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.

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.

WITNESS THE EXECUTION HEREOF this 13th day of April, 2005.

Robert M. Hutton

Jaqueline R. Hutton

State of TENNESSEE
County of DAVIDSON

On this 13th day of April, 2005 , before me the undersigned authority, personally appeared Robert M. Hutton Jaqueline R. Hutton , 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.

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 21, 2007

Notary

State of TENNESSEE
County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is $479,000.00

Affiant

Sworn and subscribed before me this the 13th day of April, 2005

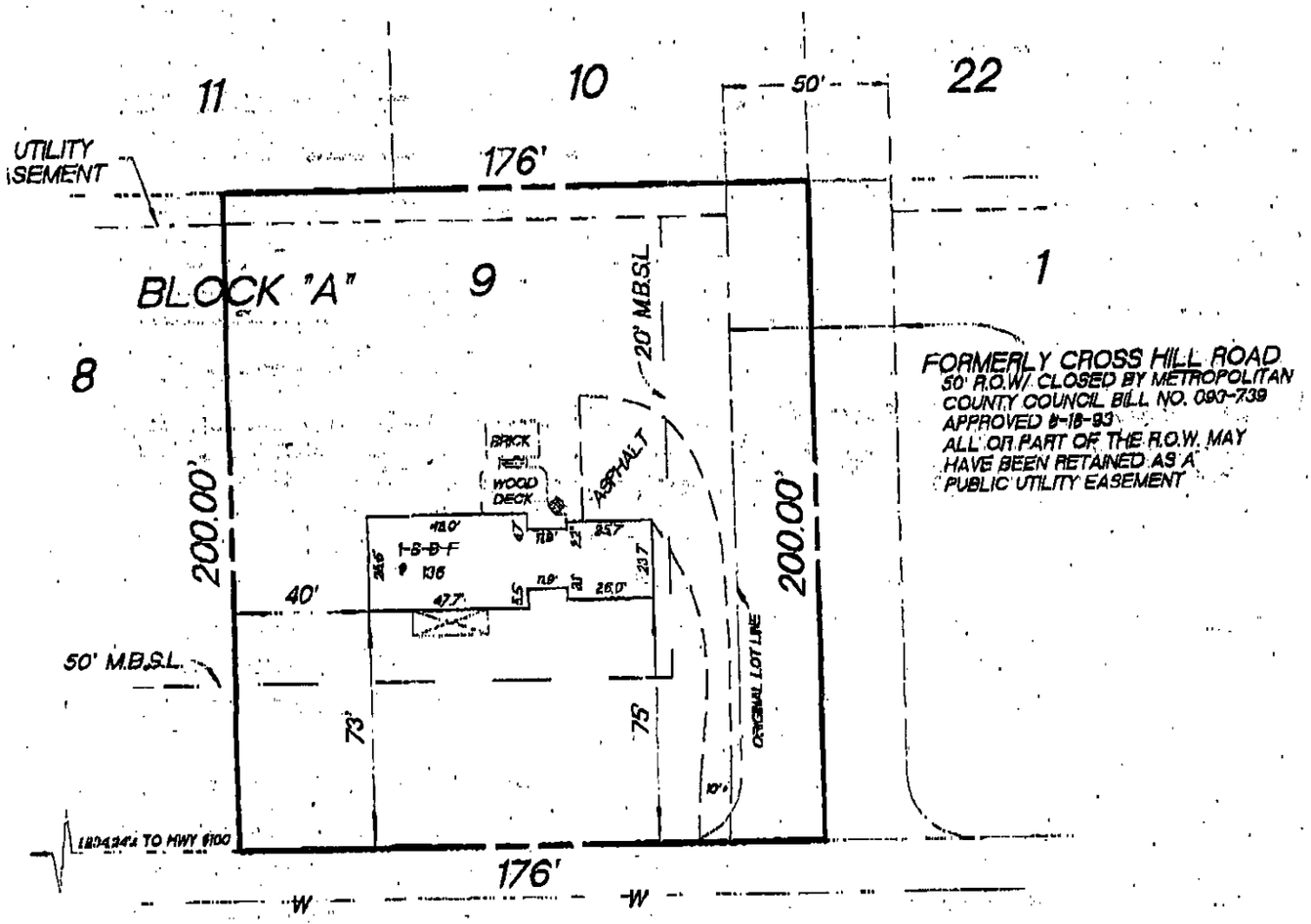
My Commission Expires: 3/25/06

Notary Public

WHICH WAS NOT PROVIDED. THIS SURVEY IS SUBJECT TO SUCH OF FACTS AS A CURRENT TITLE SEARCH MAY DISCLOSE

A SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES SHOWN ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND / OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT TENNESSEE ONE CALL (615) 376-1887 OR (800) 351-1111

EXHIBIT A



CHEEK ROAD (50')

MORTGAGE LOAN INSPECTION

OWNERS:
ROBERT DREWS

PROPERTY LOCATED:
136 CHEEK ROAD, NASHVILLE,
DAVIDSON COUNTY, TENNESSEE

LAND DESCRIPTION:
LOT 9, BLOCK "A" 2ND REVISED PLAN HIGHLANDS OF BELLE MEADE NO. 2 · BLOCKS A,B,C,D BOOK 1130, PAGE 62 R.O.D.C., TN AND PART OF A STREET R.O.W. CLOSED BY METROPOLITAN COUNTY COUNCIL BILL 093-739 APPROVED 8-18-93

SCALE 1" = 50' DATE: 4-24-01

CENSUS TRACT 185

MAP FLOOD MAP DATED

ZONE "X" 470040 0328 F 4-20-01

THIS PROPERTY IS NOT LOCATED IN A F.E.M.A.-F.I.R.M. SPECIAL FLOOD HAZARD AREA BY MAPS AVAILABLE TO ME AT THIS TIME

ORDER# 247-34-3

THIS MORTGAGE LOAN INSPECTION SHOULD NOT BE REPRESENTED TO BE A LAND OR LOT SURVEY IT WAS DONE AT THE MORTGAGE LENDER'S REQUEST FOR THEIR USE ONLY UNDER TCA 62-18-126 AND SHOULD NOT BE REPRESENTED TO BE A GENERAL PROPERTY SURVEY DEFINED UNDER RULE 0820-3-.07. DO NOT RELY ON THIS FOR CONSTRUCTION OF FENCES OR EXACT PROPERTY LINE LOCATION. NO CORNERS WERE SET OR RESET.

JOHN ALAN HOOD
LAND SURVEYOR
TENNESSEE NO. 1838

JOHN ALAN HOOD TN CERT. NO. 1838

CAMPBELL, MCRAE AND ASSOCIATES SURVEYING INC.
2424 21ST AVENUE SOUTH SUITE 201 NASHVILLE, TENNESSEE, 37212 · (615) 298 2424 · FAX 297-2828

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