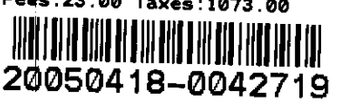
This instrument prepared by:
Brenda R. Lehman, Attorney at Law, an employee of
First American Title Insurance Company
Six Cadillac Drive, Suite 190
Brentwood, Tennessee 37027
(615) 371-8999

File No.: **2120-797969**

Davidson County DEEDWARR
Recvd: 04/18/05 10:44 4 pgs
Fees:23.00 Taxes:1073.00



20050418-0042719

WARRANTY DEED

THIS INDENTURE, made and entered into this **Thirteenth day of April, 2005**, by and between **Norbourne C. Berger and Martha T. Berger, husband and wife**, parties of the first part, and **Scott E. Evens and wife, Kelly R. Evens**, party of the second part,

WITNESSETH: This for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part had bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described Real Estate, situated and being in the City of **Whites Creek**, County of **Davidson**, State of **Tennessee**, to wit:

LAND IN THE 10TH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, DESCRIBED AS TRACT NO. 1 ON AN UNRECORDED SURVEY BY R. L. MONTOYA, SURVEYOR LIC. NO. 697, DATED MARCH 13, 1987, AS FOLLOWS: BEGINNING AT A 14 INCH HACKBERRY TREE WHICH IS LOCATED APPROXIMATELY 0.5 OF A MILE NORTH OF BRICK CHURCH PIKE AT THE INTERSECTION OF THE NORTH TERMINUS OF JACKSON ROAD AND ITS EAST RIGHT-OF-WAY MARGIN; SAID TREE MARKS THE SOUTHEAST CORNER OF THE BENNETT PROPERTY; THENCE, PROCEEDING IN A NORTHERLY DIRECTION ALONG A FENCE LINE, WHICH IS THE WEST PROPERTY LINE OF ROBERT E. BELL, NORTH 03 DEGREES 44 MINUTES 36 SECONDS WEST 622.98 FEET TO AN EXISTING IRON PIN, THE ACTUAL POINT OF BEGINNING FOR TRACT NO. 1: THENCE; WITH A NEW LINE, SOUTH 70 DEGREES 02 MINUTES 40 SECONDS WEST 71.63 FEET TO AN IRON PIN SET THIS SURVEY ON THE CENTERLINE OF A 40 FOOT INGRESS/EGRESS EASEMENT; THENCE, FOLLOWING THE CENTERLINE OF SAID EASEMENT ALONG A CURVE TO THE LEFT, HAVING THE FOLLOWING CURVE DATA; A DELTA OF 25 DEGREES 17 MINUTES 16 SECONDS, A RADIUS OF 170.00 FEET, A TANGENT OF 38.14 FEET AND A LENGTH OF 75.03 FEET, TO A POINT; THENCE, CONTINUING ALONG SAID CENTERLINE NORTH 45 DEGREES 14 MINUTES 36 SECONDS WEST 50.00 FEET TO A POINT, THE BEGINNING OF A CURVE; THENCE, FOLLOWING SAID CENTERLINE ALONG A CURVE TO THE LEFT, HAVING THE FOLLOWING CURVE DATA; A DELTA OF 19 DEGREES 46 MINUTES 41 SECONDS, A RADIUS OF 140.00 FEET, A TANGENT OF 24.41 FEET AND A LENGTH OF 48.33 FEET TO AN IRON PIN SET THIS SURVEY, WHICH IS THE SOUTHWEST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF TRACT NO. 2; THENCE, LEAVING SAID EASEMENT CENTERLINE ALONG A NEW LINE COMMON TO THIS TRACT AND TRACT NO. 2, NORTH 01 DEGREES 51 MINUTES 31 SECONDS WEST 748.32 FEET TO AN IRON PIN SET THIS SURVEY IN A FENCE LINE, WHICH IS THE SOUTH BOUNDARY LINE OF C. E. HARDY, JR. AND IS THE NORTHWEST CORNER OF THIS TRACT; THENCE, FOLLOWING SAID FENCE LINE NORTH 85 DEGREES 50 MINUTES 50 SECONDS EAST 330.00 FEET TO A CORNER FENCE POST IN THE WEST BOUNDARY OF JOHN M. TONEY, MARKING THE NORTHEAST CORNER OF THIS TRACT; THENCE ALONG SAID WEST BOUNDARY, A FENCE LINE, SOUTH 08 DEGREES 43 MINUTES 02 SECONDS WEST 499.96 FEET TO AN EXISTING IRON PIN; THENCE CONTINUING ALONG SAID FENCE LINE, SOUTH 06 DEGREES, 16 MINUTES 07 SECONDS WEST 417.06 FEET TO AN EXISTING IRON PIN, THE POINT OF BEGINNING.

THIS CONVEYANCE IS MADE SUBJECT TO THE 40 FOOT INGRESS/EGRESS EASEMENT AS SHOWN ON SAID SURVEY.

Being the same property conveyed to Norbourne C. Berger and wife, Martha T. Berger from G. Michael Bennett, by virtue of Warranty Deed as recorded on 05/26/1987 in Book 7246, Page 719 in the Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:
(1) Taxes which have been prorated and assumed by Grantee; (2) All restrictions of record; (3) All easements of record; (4) All visible easements; (5) All matters appearing on the plan of record; (6) All applicable governmental and zoning regulations.

Parcel ID # **32-144**

X Improved OR

Unimproved property located at: **4523 Jackson Rd., Whites Creek, Tennessee ~~37188~~** 37189

TOD

M.T.B.

TO HAVE AND TO HOLD the aforesaid Real Estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his/her heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that he/she is lawfully seized in fee simple of the aforedescribed real estate; that he/she has good right to sell and convey the same; that the same is unencumbered, EXCEPT as set forth herein, and that the title and quiet possession thereto he/she warrants and forever defends against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the party of the first part of the day and year first above written.

Norbourne C. Berger

Martha T. Berger

STATE OF **TN**

COUNTY OF **WILLIAMSON**

Before me, a Notary Public in and for said County and State, duly commissioned and qualified, personally appeared **Norbourne C. Berger and Martha T. Berger, husband and wife** to me known to the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained as **their** free Act and Deed.

Witness my hand and Notarial Seal this **Thirteenth day of April, 2005.**

Brenda R Lehman
Notary Public

My Commission Expires: 3/10/07

****

Owner's Name: **Scott Evens and Kelly Evens**

and Address: **4523 Jackson Rd.**
Whites Creek, TN 37188

Mail tax bills to, (Person or Agency responsible for payment of taxes)

Countrywide Home Loans, Inc.
2021 North Gallatin Road
Suite 280
Madison, TN 37115

I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$290,000.00** which amount is equal or greater than the amount which the property transferred would command at a fair and voluntary sale.

M. L. Berger
Affiant

Subscribed and sworn to before me this **Thirteenth day of April, 2005.**

Brenda R Lehman
Notary Public

My Commission Expires: 3/10/07

