Davidson County DEEDWARR
Recvd: 07/05/05 13:05 2 pgs
Fees:13.00 Taxes:362.60
20050705-0076806

THIS INSTRUMENT PREPARED BY:
KNOXVILLE BUILDERS ESCROW, SERVICES, LLC
312 NANCY LYNN LANE
KNOXVILLE, TN 37919

Record Data Above

WARRANTY DEED

THIS DEED, made and entered into this the **June 30, 2005**, by and between **Jillian Etherington, unmarried**, hereinafter known as the Party(ies) of the First Part, and **Genda L. Cain, unmarried and Michael Cain, unmarried**, hereinafter known as the Party(ies) of the Second Part;

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, the Party of the First Part has bargained and sold and do/does hereby grant and convey unto the Party of the Second Part, his/her/their heirs and assigns, with covenants of general warranty of title, the following described property located in Davidson County, Tennessee:

LAND in Davidson County, Tennessee, Being Lot Number 49 on the Map of S. A. Champion's Subdivision, as of record in Book 161, Page 132, Register's Office for Davidson County, Tennessee. Said Lot Number 49 fronts 50 feet on the Southerly side of Osage Street and runs back between parallel lines, 150 feet to an alley.

This conveyance is made subject to all applicable restrictions, easements, building setback lines and conditions of record in the Register's Office for Davidson County, Tennessee.

The above legal description is the same as the last Deed of record, no boundary survey having been made at the time of this conveyance.

BEING the same property conveyed to Jillian Etherington, unmarried by Special Corporation Warranty Deed dated May 8, 2003 and recorded May 28, 2003 bearing Instrument Number 200305280071824 of record in the Register's Office for Davidson County, Tennessee.

SUBJECT TO the notes and other indicated restrictions, if any, on said plat or plats and subject to the conditions, covenants, reservations, easements, charges and liens reflected in the Declaration and Supplemental Declarations filed in connection therewith in the office of the Register of Deeds for said County and State.

THIS PROPERTY IS SUBJECT TO all applicable easements, permissive use agreements and restrictions of record in the Davidson County Register of Deeds' Office. Also conveyed are all rights in and to any and all applicable easements and permissive use agreements of record at the Register of Deeds Office for Davidson County, Tennessee.

THE PREPARER OF THIS DEED HAS NOT SEARCHED THE TITLE OF THIS PROPERTY AND MAKES NO REPRESENTATION OR WARRANTIES AS TO THE STATUS OF THE TITLE OF THE PROPERTY CONVEYED HEREIN.

Tax ID #: 081.11-0-129.00

TO HAVE AND TO HOLD unto the Party of the Second Part, his/her/their heirs and assigns, forever.

The party of the first part does hereby covenant with the party of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; theat the same is unencumbered, except for those exceptions, reservations and other matters described on Exhibit "B" attached hereto and incorporated herein by reference; and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

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

It is expressly agreed by the party hereto that all taxes for the year **2005** shall be prorated between them as of the date of this deed.

This conveyance is expressly made subject to reservations, restrictions, easements, covenants and conditions contained in former instruments of record pertaining thereto and to all easements and encroachments apparent from an inspection of the property.

WITNESS the following signature on this day and year first above written.

Grantor:

Jillian Etherington

STATE OF TENNESSEE:
COUNTY OF Davidson:

Personally appeared before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, the within named bargainor **Jillian Etherington** , with whom I am personally acquainted and who acknowledged that he/she/they executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal, this the **June 30, 2005**.

My commission expires:
_____

Notary Public

JONATHAN D. NEWBERRY NOTARY PUBLIC AT LARGE KNOX CO., TENN.
MY COMMISSION EXPIRES: 08-03-07

STATE OF TENNESSEE:
COUNTY OF Davidson:

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$98,000.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

WITNESS my hand and official seal, this the **June 30, 2005**.

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, this **June 30, 2005**.

My commission expires:
4/15/09

Notary Public

NANCY SUE HANKINS STATE OF TENNESSEE NOTARY PUBLIC KNOX COUNTY

NAME AND ADDRESS OF PROPERTY OWNER:
Genda L. Cain AND Michael Cain
2105 Osage Street
Nashville, TN 37208

NAME AND ADDRESS OF THE PERSON OR ENTITY RESPONSIBLE FOR THE PAYMENT OF THE REAL PROPERTY TAX:
SAME AS ABOVE