STATE OF TENNESSEE
COUNTY OF ~~WILLIAMSON~~ DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $170,000.00

Affiant

Subscribed and sworn to before me, this 19th day of July, 2005.

Notary Public

My commission expires: 11-22-08

MIGNON SMELSER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TN My Commission Exp Nov 22 2008

(Notary Stamp)

**THIS INSTRUMENT PREPARED BY**
**McCann & Hubbard**
**7105 Crossroads Blvd. Suite 105**
**Brentwood, TN 37027**

Davidson County DEEDWARR
Recvd: 07/25/05 15:22 2 pgs
Fees:13.00 Taxes:629.00
20050725-0086297

# WARRANTY DEED

| Address of New Owner(s) as follows: | Send Tax Bills To: | Map-Parcel Numbers: |
|---|---|---|
| **David Thomas Tough** | **Irwin Mortgage Corporation** | **Map 181 Group 3-O-A Parcel 85-CO** |
| **5801 Tee Pee Trace** | **10500 Kincaid Drive** | |
| **Antioch, TN 37013** | **Fishers, IN 46038** | |

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGE, WE,

**Catherine Warwick, unmarried**

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

**David Thomas Tough ,** unmarried

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN **DAVIDSON** COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Land in Davidson County, Tennessee, being Lot No. 85 on the Plan of First Revision of Lots 83-88, Section Two, Indian Creek Estates, of record in Instrument #20050517-0055783, Register's Office for said County, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Catherine Warwick by warranty deed from David J. Benzing and wife, Claire Benzing, of record in Instrument #20020805-0093452, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

The Plan of record in Instrument #20050517-0055783, Register's Office for DAVIDSON County, Tennessee.
Restrictive covenants contained in an instrument of record in Book 10752, Page 553, Book 11708, Page 575, Instrument #200007270074152, Instrument #20030509-0062505, and Instrument #20050118-006063, Register's Office for DAVIDSON County, Tennessee.
By-Laws of record in Book 11033, Page 509, and Instrument #200007270074153, Register's Office for DAVIDSON County, Tennessee.
Charter for HOA of record in Book 11031, Page 79, Register's Office for DAVIDSON County, Tennessee.
**Conveyance of common areas to HOA of record in Book 11033, Page 519, Register's Office for DAVIDSON County, Tennessee.**
Storm Water Detention Agreement of record in Instrument #199712190729380, Register's Office for DAVIDSON County, Tennessee.
PUD Boundary of record in Plat Book 9700, Page 391, Register's Office for DAVIDSON County, Tennessee.
Cemetery Easement of record in Book 5059, Page 374 and Book 6549, Page 403, Register's Office for DAVIDSON County, Tennessee.
Subject to rights of others in and to common areas/elements.
Subject to lien for special assessment contained in DCCR's/Master Deed.
Subject to the flow of any stream across the subject property.
Any and all visible easements lying on or across the property.

*Continued

This is improved property known as 5801 Tee Pee Trace, Antioch, TN 37013.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same in unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 19th day of July, 2005.

Catherine Warwick by: A. Scott Hubbard Attorney in Fact

Catherine Warwick
By: A. Scott Hubbard, Attorney-in-Fact

* A. Scott Hubbard executed this instrument on behalf of Catherine Warwick pursuant to a Power of Attorney of record as Instrument Number
*, Register's Office, Davidson County, Tennessee.

* 20050725008629 6

**STATE OF TENNESSEE )**
**COUNTY OF WILLIAMSON )**

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared **A. Scott Hubbard**, with whom I am personally acquainted (or who proved to me his/her identity on the basis of satisfactory evidence), and who, upon oath, acknowledged that he/she executed the within instrument on behalf of Catherine Warwick for the purposes therein contained, and who further proved to me that he is the **Attorney in Fact** for Catherine Warwick, and is authorized by Catherine Warwick to execute this instrument on his/her behalf.

Witness my hand, at office, this 19th day of July, 2005.

Notary Public

My Commission Expires:

RUSSELL JOHN McCANN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON
MY COMMISSION EXPIRES AUG. 14, 2005

File #: **05335-JM**
**RECORD & RETURN TO:**

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