Davidson County DEEDWARR
Recvd: 08/11/05 09:37 3 pgs
Fees:18.00 Taxes:351.50

20050811-0095159

PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

WARRANTY DEED

THIS INDENTURE is made and entered into this 9th day of August, 2005, by and between GREGORY G. SMITH and JANET S. SMITH, HUSBAND AND WIFE, hereinafter called Grantors, and WALTER H. CARTER, TRUSTEE OF THE 5301 FLAGSTONE DRIVE TRUST, U/T/A, DATED JULY 8, 2005, hereinafter called Grantee.

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which are hereby acknowledged, GREGORY G. SMITH and JANET S. SMITH, HUSBAND AND WIFE, as Grantors, do hereby bargain, sell, transfer and convey unto WALTER H. CARTER, TRUSTEE OF THE 5301 FLAGSTONE DRIVE TRUST, U/T/A, DATED JULY 8, 2005, hereinafter referred to as Grantee, its successors and assigns, all of that certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantors in and to all buildings and fixtures located on said real estate, and any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (collectively, the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is improved property known as 5301 FLAGSTONE DRIVE, ANTIOCH, TENNESSEE 37013.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, its successors and assigns forever. The Grantors covenant and agree with the said Grantee that Grantors are lawfully seized and possessed of the said real estate and that Grantors have a good and lawful right to sell the same. The Grantors further covenant that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantors further covenant and bind themselves and their successors, heirs and assigns, to warrant and forever defend the title to said Grantee, its successors and assigns, against the lawful claims of all person whomsoever.

WITNESS the hands and seals of Grantors on the day and year first above written.

GREGORY G. SMITH
Signature of Seller

JANET S. SMITH
Signature of Seller

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public of said County and State, **GREGORY G. SMITH and JANET S. SMITH, HUSBAND AND WIFE, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the foregoing instrument for the purposes therein contained.**

Witness my hand, at Madison, Tennessee, this 9th day of **August, 2005.**

Notary Public

My Commission Expires: 5/24/2008

NOTARY PUBLIC AT LARGE DENISE C. ALLIS DAVIDSON COUNTY, TENNESSEE

Name and Address of Property Owner:

WALTER H. CARTER, TRUSTEE OF THE 5301 FLAGSTONE DRIVE TRUST, U/T/A, DATED JULY 8, 2005
2200 21ST AVENUE SOUTH, SUITE 220
NASHVILLE, TENNESSEE 37212

Property Address:

5301 FLAGSTONE DRIVE
ANTIOCH, TENNESSEE 37013

Person Responsible for Taxes:

WALTER H. CARTER, TRUSTEE
2200 21ST AVENUE SOUTH, SUITE 220
NASHVILLE, TENNESSEE 37212

Map & Parcel #: MAP 176-2, PARCEL 79

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$95000** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this 9 day of **August, 2005.**

Notary Public

My Commission Expires: 5/24/2008

NOTARY PUBLIC AT LARGE DENISE C. ALLIS DAVIDSON COUNTY, TENNESSEE

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 05-7650

EXHIBIT 'A'

Being Lot No. 222 of Peppertree Forest Subdivision, Section 19, as of record in Plat Book 7900, Page 783, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description, said description is incorporated herein by reference the same as if copied fully herein verbatim.

Being the same property conveyed to Gregory G. Smith and wife, Janet S. Smith, by Warranty Deed from Jerry D. Butler, of record in Book 9588, page 690, Register's Office for Davidson County, Tennessee.

EXHIBIT 'B'

1. All Davidson County Real Property Taxes for the year 2005 and subsequent years, A LIEN, not yet due and payable (MAP 176-2, PARCEL 79).

2. All matters as set forth on the Plan of Section 19, Peppertree Forest, of record in Plat Book 7900, page 783, said Register's Office, including any and all setback lines, easements, notes, restrictions, etc., as may be shown thereon.

CV PARA# = PARA# + 1
2. Declaration of Covenants, Conditions and Restrictions of record in Book 8757, Page 607, Register's Office for DAVIDSON County, Tennessee.

3. By-Laws of Peppertree Forest Homeowner's Association of record in Book 8757, Page 623, said Register's Office.

4. Articles of Incorporation for Peppertree Forest Homeowner's Association, Inc. of record in Book 8757, Page 639, said Register's Office.