Davidson County DEEDWARR
Recvd: 08/24/05 08:24 3 pgs
Fees:18.00 Taxes:259.00

20050824-0100680

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 19th day of August, 2005, by and between JAMES E. SUMMAR, JR., UNMARRIED, hereinafter called Grantor, and ASHLEY M. PROCTOR, MARRIED, 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, JAMES E. SUMMAR, JR., UNMARRIED, as Grantor, does hereby bargain, sell, transfer and convey unto ASHLEY M. PROCTOR, MARRIED, hereinafter referred to as Grantee, her successors, heirs 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 Grantor 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 7800 OLD SPRINGFIELD PIKE, GOODLETTSVILLE, TENNESSEE 37072.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, her successors, heirs and assigns forever. The Grantor covenants and agrees with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

Grantor further covenants and binds himself and his successors, heirs and assigns, to warrant and forever defend the title to said Grantee, her successors, heirs and assigns, against the lawful claims of all person whomsoever.

WITNESS the hand and seal of Grantor on the day and year first above written.

JAMES E. SUMMAR, JR.
Signature of Seller

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public of said County and State, **JAMES E. SUMMAR, JR., UNMARRIED, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.**

Witness my hand, at Madison, Tennessee, this 19th day of **August, 2005.**

Barbara Black
Notary Public

BARBARA BLACK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: _____

My Commission Expires NOV. 26, 2005

Name and Address of Property Owner:

ASHLEY M. PROCTOR
7800 OLD SPRINGFIELD PIKE
GOODLETTSVILLE, TENNESSEE 37072

Property Address:

7800 OLD SPRINGFIELD PIKE
GOODLETTSVILLE, TENNESSEE 37072

Person Responsible for Taxes:

AMERICAN HOME MORTGAGE SERVICING, INC.
P.O. BOX 100504
FLORENCE, SOUTH CAROLINA 29501-0504

Map & Parcel #: MAP 18, PARCEL 14

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF RUTHERFORD

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 **$70000** 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.

Ashley M. Proctor
Affiant

Sworn to and subscribed before me, a Notary Public, this 19th day of **August, 2005.**

Barbara Black
Notary Public

BARBARA BLACK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: _____

My Commission Expires NOV. 26, 2005

RETURN TO:

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

05-7666

EXHIBIT "A"

A tract of land in the 2nd Civil District of Nashville, Davidson County, Tennessee, being generally located in the northeast quadrant of the intersection of Old Springfield Pike and Dickerson Road and being all of Lot One, on the final plat of the Bill Hitt Subdivision as evidenced in Book 7900, Page 232, R.O.D.C., TN, and being more particularly described as follows:

Beginning at a point in the easterly margin of said Old Springfield Pike, said point being 2474' more or less northerly along said margin from the westerly margin of Dickerson Road, said point being the western most corner of Lot Two of the final plat of said Bill Hitt Subdivision; thence

1) with the line of said Lot Two, North 56 deg. 01' 03" East a distance of 270.00' to a point, thence

2) with the line of said Lot Two, North 33 deg. 58' 57" West a distance of 326.31' to a point in Walkers Creek, thence

3) with Walkers Creek, South 39 deg. 37' 28" West a distance of 245.80' to a point in Walkers Creek thence

4) with the easterly margin of Old Springfield Pike, South 26 deg. 24' 07" East a distance of 259.21' to the point of beginning and containing 1.68 acres more or less.

Being the same property conveyed to Rebecca W. Hitt, individually by an executor's Quitclaim Deed from Rebecca W. Hitt, Executor of the Estate of Billy Hitt and a Co-Trustee of the Family Trust created under the Will of Billy Hitt and James E. Summar, Sr., Co-Trustee of the said Family Trust, of record in Book 9899, Page 567, Register's Office for Davidson County, Tennessee. Rebecca W. Hitt having subsequently conveyed one-seventh (1/7) interest in and to said property as follows: in Quitclaim Deed of record in Book 9899, Page 571, as corrected by deed of record in Book 11413, Page 526, a one-seventh (1/7) interest to Elizabeth Summar Anderson and a one-seventh (1/7) interest to James E. Summar, Jr.; in Quitclaim Deed of record in Book 10685, Page 526, as corrected by deed of record in Book 11413, Page 523, a one-seventh (1/7) interest to Elizabeth Summar Anderson and a one-seventh (1/7) interest to James E. Summar, Jr.; in Quitclaim Deed of record in Book 11413, Page 520 a one-seventh (1/7) interest to Elizabeth Summar Anderson and a one-seventh (1/7) interest to James E. Summar, Jr.; the said Elizabeth Summar Anderson having then conveyed all of her right, title and interest in and to said property to James E. Summar, Jr. by Quitclaim Deed to James E. Summar, Jr. all resulting in James E. Summar being vested with a six-sevenths (6/7) undivided interest in and to said property with a one-seventh (1/7) undivided interest being retained by Rebecca W. Hitt. Rebecca W. Hitt subsequently conveyed her 1/7 remaining interest to James E. Summar, Jr. by Quitclaim Deed dated August 19, 2005, of record in Instrument Number 20050824-0100679, 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 18, PARCEL 14).

2. All matters as set forth on the Plan of Final Plat of bill Hitt Subdivision of record in Plat Book 7900, page 232, said Register's Office, including any and all setback lines, easements, notes, restrictions, etc., as may be shown thereon.

3. Easement for natural flow of Walkers Creek.