Davidson County DEEDWARR
Recvd: 09/19/05 10:29 2 pgs
Fees:13.00 Taxes:518.00
20050919-0112035

THIS INSTRUMENT PREPARED BY:

Homer R. Ayers, Attorney at Law
303 Frances Street (Zip 37072)
P. O. Box 904
Goodlettsville, TN 37070-0904

# Warranty Deed

| ADDRESS NEW OWNERS: | PERSON OR ENTITY RESPONSIBLE FOR PAYMENT OF REAL PROPERTY TAXES: | MAP-PARCEL NOS. |
|---|---|---|
| Thomas L. Cunningham III<br>P. O. Box 1043<br>Goodlettsville, TN 37070-1043 | Same as New Owner | Map 25-15<br>Parcel 26.00 |

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, CAROLINA R. LUCERO, a single woman, hereinafter referred to as the "GRANTOR", has bargained and sold and by these presents does transfer and convey unto THOMAS L. CUNNINGHAM III, a single man, hereinafter referred to as the "GRANTEE", his 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. 40 on the Plan of Highland Heights Acres of record in Plat Book 3700, page 97, as revised by instrument of record in Book 4633, page 444, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a complete and accurate description of said lot.

BEING the same property conveyed to Benny A. Lucero and wife, Carolina R. Lucero, by deed from Estate of Ralph F. Barton, Deceased, of record in Instrument No. 20010110-0003351, Register's Office for Davidson County, Tennessee. And, the said Benny A. Lucero died October 18, 2001, survived by his wife, Carolina R. Lucero, who became vested with ownership and title to the said property in fee simple. Carolina R. Lucero represents and warrants that all debts and obligations owing by Benny A. Lucero during his lifetime or by reason of his death, have been fully paid and satisfied.

The legal description, as hereinabove set forth, is the same as that contained in the previous Deed of Record.

The current mailing address for said property is 309 Highland Heights Drive, Goodlettsville, TN 37072.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, his heirs and assigns, forever.

And the GRANTOR does covenant with the said GRANTEE that she is lawfully seized and possessed of said land in fee simple, has a good right to convey it and warrants that the same is unencumbered, except as follows:

1. Real Property Taxes for the year 2005, which are a lien, but not yet due and payable, which have been prorated between the parties and will be paid, in full, by the GRANTEE, when due.

2. Subject Restrictive Covenants of record in Book 4071, page 226 and Book 5205, page 221, said Register's Office.

3. Subject to Grant of Transmission Line Easement of record in Book 3248, page 173, said Register's Office.

4. Subject to Sanitary Sewers Easement of record in Book 5818, page 732, said Register's Office.

And, the GRANTOR does further covenant and bind herself, her heirs and representatives to warrant and forever defend the title to the said land to the said GRANTEE, his heirs and assigns, against the lawful claims of all persons whomsoever.

FAITH M. STAGNER executes this Warranty Deed as Attorney-in-Fact for CAROLINA R. LUCERO, a single woman, under a Power of Attorney being recorded simultaneously herewith as Instrument No. 20050919-0112034, Register's Office for Davidson County, Tennessee.

WITNESS our hands on the day and date last acknowledged below.

"GRANTOR"
Carolina R. Lucero
by Faith M. Stagner
CAROLINA R. LUCERO, a single woman
BY: FAITH M. STAGNER, Attorney In Fact

"GRANTEE"
Thomas L. Cunningham III
THOMAS L. CUNNINGHAM III, a single man

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, THOMAS L. CUNNINGHAM III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this the 16th day of September, 2005.

NOTARY PUBLIC

My Commission Expires Dec. 6, 2005

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

On this the 16th day of September, 2005, before me, personally appeared FAITH M. STAGNER, to me known to be the person who executed the foregoing instrument on behalf of CAROLINA R. LUCERO, and acknowledged that she executed the same as the free act and deed of the said CAROLINA R. LUCERO.

WITNESS my hand and official seal this the 16th day of September, 2005.

NOTARY PUBLIC

My Commission Expires Dec. 6, 2005

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration or value, whichever is greater, for this transfer is $140,000.00.

Thomas L. Cunningham III
Affiant

Sworn to and subscribed before me, this the 16th day of September, 2005.

NOTARY PUBLIC

My Commission Expires Dec. 6, 2005