40-A

THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **FTEC File No. 24716-09-2005** **Record & Return To:** **Gibson & Gregory** **201 4th Avenue North, Suite 1900** **Nashville, TN 37219**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $185,000.00. Mamie Hutton Affiant Subscribed and sworn to before me this 21st day of September, 2005. Notary Public My Commission Expires: 7/19/08

CAROL E. MUDTER, JR. NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008

WARRANTY DEED

Address New Owner:	**Send Tax Bills To:**	**Tax Information:**
Joe Alan Elmore 708 Harpeth Trace Drive Nashville, TN 37221	United Financial Mortgage Corp. 815 Commerce Dr., Ste. 100 Oak Brook, IL 60523	Map No.143.02-0B Parcel No. 005.00-CO

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Mamie Hutton, Unmarried**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Joe Alan Elmore, Unmarried** ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at 708 Harpeth Trace Drive, Nashville, TN 37221

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its successors, heirs and assigns, forever.

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 21st day of September, 2005.

Mamie Hutton

Mamie Hutton

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

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

Witness my hand, at office, this 21st day of September, 2005.

My Commission Expires: 7/19/08

Notary Public

CAROL E. MUDTER, JR. NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2008

Davidson County DEEDWARR
Recvd: 09/26/05 15:22 2 pgs
Fees:13.00 Taxes:684.50

20050926-0115569

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 5 on the Plan of Revised Treetops At Harpeth Trace, as of record in Plat Book 6250, page 455, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Mamie Hutton, Unmarried by deed dated October 30, 1998 from Paul L. Sloan, III., Married of record in Book 11184, page 582, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2005 City/County taxes which have been prorated by the parties and assumed by the Grantee.
2. Declaration of Covenants, Conditions By-Laws and Restrictions for Treetops At Harpeth Trace, of record in Book 6287, page 417, Register's Office for Davidson County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons).
3. Dedication of common area to Treetops At Harpeth Trace Homeowners' Association, Inc. of record in Book 6465, page 410, Register's Office for Davidson County, Tennessee.
4. Charter of Incorporation of Treetops At Harpeth Trace Homeowners' Association, Inc. of record in Book 8085, page 576, Register's Office for Davidson County, Tennessee.
5. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 5360, page 320, Book 5364, page 882 and in Book 4889, page 192, Register's Office for Davidson County, Tennessee.
6. All matters appearing on the Plan of record as Book 6250, page 455, Register's Office for Davidson County, Tennessee.
7. Easement for water mains of record in Book 5142, page 694, Register's Office for Davidson County, Tennessee.