Davidson County DEEDWARR
Recvd: 10/06/05 09:43 2 pgs
Fees:13.00 Taxes:551.30
20051006-0120511

THIS INSTRUMENT PREPARED BY:
KNOXVILLE BUILDERS ESCROW, SERVICES, LLC
312 NANCY LYNN LANE
KNOXVILLE, TN 37919

Record Data Above

WARRANTY DEED

THIS DEED, made and entered into this the **September 30, 2005**, by and between **Wallace J. Hutcherson, unmarried**, hereinafter known as the Party(ies) of the First Part, and **Dan Avant, unmarried**, hereinafter known as the Party(ies) of the Second Part;

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, the Party of the First Part has bargained and sold and do/does hereby grant and convey unto the Party of the Second Part, his/her/their heirs and assigns, with covenants of general warranty of title, the following described property located in Davidson County, Tennessee:

LAND in Davidson County, State of Tennessee, described as follows, to wit:

Land in Davidson County, Tennessee, being Lot No. 18 on the Plan of Colewood Acres, Section I, of record in Book 3700, page 59, Register's Office for said County, as follows:

BEGINNING at a point in the easterly margin of Olivia Drive, the common corner of Lots 17 and 18; thence eastwardly with the dividing line between Lots 17 and 18, 166 feet to a concrete monument; thence continuing eastwardly 74.5 feet to a point; thence northwardly 65 feet to a concrete monument; thence continuing northwardly 23.42 feet to a point, the common corner of Lots 18 and 19; thence with the dividing line between Lots 18 and 19, westwardly 172.6 feet to a point in the easterly margin of Olivia Drive; thence with the easterly margin of Olivia Drive, southwardly 77 feet to the point of beginning.

The above legal description is the same as the last Deed of record, no boundary survey having been made at the time of this conveyance.

This conveyance is made subject to all applicable restrictions, easements, building setback lines and conditions of record in the Register's Office for Davidson County, Tennessee.

BEING the same property conveyed to Wallace J. Hutcherson wife, Brenda J. Hutcherson by Warranty Deed dated June 30, 1971 and recorded July 1, 1971 of record in Book 4516, page 469 in the Register's Office for Davidson County, Tennessee. See also Quit Claim Deed recorded simultaneously herein of record in Instrument Number 20051006-0120510.

SUBJECT TO the notes and other indicated restrictions, if any, on said plat or plats and subject to the conditions, covenants, reservations, easements, charges and liens reflected in the Declaration and Supplemental Declarations filed in connection therewith in the office of the Register of Deeds for said County and State.

THIS PROPERTY IS SUBJECT TO all applicable easements, permissive use agreements and restrictions of record in the Davidson County Register of Deeds' Office. Also conveyed are all rights in and to any and all applicable easements and permissive use agreements of record at the Register of Deeds Office for Davidson County, Tennessee.

THE PREPARER OF THIS DEED HAS NOT SEARCHED THE TITLE OF THIS PROPERTY AND MAKES NO REPRESENTATION OR WARRANTIES AS TO THE STATUS OF THE TITLE OF THE PROPERTY CONVEYED HEREIN.

Tax ID #: 162-02-0-035.00

TO HAVE AND TO HOLD unto the Party of the Second Part, his/her/their heirs and assigns, forever.

The party of the first part does hereby covenant with the party of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; theat the same is unencumbered, except for those exceptions, reservations and other matters described on Exhibit "B" attached hereto and incorporated herein by reference; and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if it refers to more than one person or entity, and pronouns shall be construed according to their proper gender and number according to the context hereof.

It is expressly agreed by the party hereto that all taxes for the year **2005** shall be prorated between them as of the date of this deed.

between them as of the date of this deed.

This conveyance is expressly made subject to reservations, restrictions, easements, covenants and conditions contained in former instruments of record pertaining thereto and to all easements and encroachments apparent from an inspection of the property.

WITNESS the following signature on this day and year first above written.

Grantor:

Wallace J. Hutcherson

STATE OF TENNESSEE:
COUNTY OF Davidson:

Personally appeared before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, the within named bargainor **Wallace J. Hutcherson** , with whom I am personally acquainted and who acknowledged that he/she/they executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal, this the **September 30, 2005**.

ANTHONY ELLIS NOTARY PUBLIC AT LARGE RUTHERFORD CO., TENN.

My commission expires:
9-17-07

Notary Public

STATE OF TENNESSEE:
COUNTY OF Davidson:

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$149,000.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

WITNESS my hand and official seal, this the **September 30, 2005**.

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, this **September 30, 2005**.

My commission expires:
9-17-07

Notary Public

ANTHONY ELLIS NOTARY PUBLIC AT LARGE RUTHERFORD

NAME AND ADDRESS OF PROPERTY OWNER:
Dan Avant
5040 Olivia Drive
Antioch, TN 37013

NAME AND ADDRESS OF THE PERSON OR ENTITY RESPONSIBLE FOR THE PAYMENT OF THE REAL PROPERTY TAX:
SAME AS ABOVE