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 30th day of September, 2005, by and between MARK A. GARDNER, UNMARRIED, hereinafter called Grantor, and TAMMY MALLORY, UNMARRIED, 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, MARK A. GARDNER, UNMARRIED, as Grantor, does hereby bargain, sell, transfer and convey unto TAMMY MALLORY, UNMARRIED, hereinafter referred to as Grantee, their 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 5734 AMALIE DRIVE, NASHVILLE, TN 37211.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, their 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, her/himself and her/his successors, heirs and assigns, to warrant and forever defend the title to said Grantee, his/her successors, heirs and assigns, against the lawful claims of all person whomsoever.

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

MARK A. GARDNER, Signature of Seller

Signature of Seller

Davidson County DEEDWARR
Recvd: 10/07/05 08:57 3 pgs
Fees:18.00 Taxes:619.75

20051007-0121081

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public of said County and State, MARK A. GARDNER, 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/she executed the within instrument for the purposes therein contained.

Witness my hand, at Madison, **Tennessee, this** 30 **day of September, 2005.**

Notary Public

My Commission Expires: 5/24/2008

Name and Address of Property Owner:

TAMMY MALLORY, UNMARRIED
5734 Amalie Dr.
Nashville, TN 37217

Property Address:

5734 AMALIE DRIVE
NASHVILLE, TN 37217

Person Responsible for Taxes:
America's Wholesale Lender
750 Old Hickory BLVD
Brentwood, TN 37027

Map & Parcel #: MAP 161-11, GROUP F, PARCEL 26 CO

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 **167500** 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 30 day of **September, 2005.**

Notary Public

My Commission Expires: 5/24/2008

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 05-7686

EXHIBIT 'A'

Being Unit No. 26 on the Condominium Plat, Townhomes of Brentwood of record in Book 9700, Page 990, said Register's Office for Davidson County, Tennessee, to which plan of reference is made for a more complete description thereof.

Being the same property conveyed to MARK A. GARDNER, UNMARRIED, by Warranty Deed from Brent Foster, of record in Instrument Number 20001208-0121189, Register's Office for DAVIDSON County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2006 and subsequent years, A LIEN, not yet due and payable (MAP 161-11, GROUP F, PARCEL 26 CO).
2. All matters as set forth on the Condominium Plat of record in Plat Book 9700, page 990, said Register's Office, which plat includes a 150' wide TVA Easement across the common elements area.

3. Articles of Incorporation for Townhomes of Brentwood Owners Association, Inc. of record in Book 11629, Page 845, and Articles of Amendment of record in Instrument Number 20000215-0015333, Register's Office for DAVIDSON County, Tennessee.

4. Covenants, restrictions, easements, reservations and interest in favor of other unit owners and all sewer, water, electric, telephone and other utility easements now or hereafter established and all other terms and conditions as may be set forth in the Master Deed and the By-Laws of Townhomes of Brentwood appended thereto, of record in Book 11629, page 850, and First Amendment to Master Deed and By-Laws of record in Instrument Number 20000215-0015334 - THIS AMENDMENT CHANGES THE PROPERTY FROM A CONDOMINIUM REGIME TO A PLANNED UNIT DEVELOPMENT, and Second Amendment to Master Deed and Declaration of Covenants, Conditions and Restrictions of record in Instrument Number 20010626-0067542, Register's Office for DAVIDSON County, Tennessee.