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

Davidson County DEEDWARR
Recvd: 02/03/06 09:29 4 pgs
Fees:23.00 Taxes:1132.20
20060203-0013490

WARRANTY DEED

THIS INDENTURE is made and entered into this 31st day of January, 2006, by and between JOE N. SMITH, A FIFTY PERCENT (50%) SHARE, and JOY S. CARLISLE, A FIFTY PERCENT (50%) SHARE, hereinafter called Grantors, and JOE N. SMITH, 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, JOE N. SMITH, A FIFTY PERCENT (50%) SHARE, and JOY S. CARLISLE, A FIFTY PERCENT (50%) SHARE, f/k/a Joy Patterson, unmarried, as Grantors, do hereby bargain, sell, transfer and convey unto JOE N. SMITH, hereinafter referred to as Grantee, his 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 Grantors 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 6289/6380 EATONS CREEK & 7174 WHITES CRK, JOELTON, TN 37080.

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

Grantors further covenant and bind, themselves and their successors, heirs and assigns, to warrant and forever defend the title to said Grantee, his successors, heirs and assigns, against the lawful claims of all person whomsoever.

Elizabeth Smith, wife of JOE N. SMITH, the Grantor herein, joins in the herein conveyance for the sole purpose of conveying any right, title and interest she may have in and to the property described herein, marital or otherwise.

WITNESS the hands and seals of the Grantors on the day and year first above written.

JOE N. SMITH Signature of Seller

Elizabeth Smith,
Spouse of Seller

JOY S. CARLISLE
Signature of Seller

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, JOY S. CARLISLE, the within named bargainor, 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 purpose therein contained.

Witness my hand, at office, this 31st day of January, 2006.

Notary Public

My commission expires: _____

HOWARD M. SKIPWORTH
NOTARY PUBLIC AT LARGE
DAVIDSON CO. TENN.

MY COMMISSION EXP.
JANUARY 26, 2008

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, JOE N. SMITH, joined by his wife, ELIZABETH SMITH, the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 31st day of January, 2006.

Howard M. Skipworth
Notary Public

My Commission Expires:_____

HOWARD M. SKIPWORTH NOTARY PUBLIC AT LARGE DAVIDSON CO., TENN.
MY COMMISSION EXP. JANUARY 26, 2008

Name and Address of Property Owner:

JOE N. SMITH
7174 Whites Creek Pike
Joelton Tn 37080

Property Address:

6289/6380 EATONS CREEK & 7174 WHITES CRK, JOELTON, TN 37080
Person Responsible for Taxes:

Joe N. Smith
Same

Map & Parcel #: MAP 22, PARCEL 26, MAP 22, PARCEL 9, MAP 21, PARCEL 16

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 **306000** 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.

Joe N. Smith
Affiant

Sworn to and subscribed before me, a Notary Public, this 31st day of **January, 2006.**

Howard M. Skipworth
Notary Public

My Commission Expires: _____

HOWARD M. SKIPWORTH NOTARY PUBLIC AT LARGE DAVIDSON CO., TENN.
MY COMMISSION EXP. JANUARY 26, 2008

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115 05-303J

EXHIBIT 'A'

Tract 1: Beginning at a point in the west line of Eatons Creek Road at the northeast corner of Lot No. 4 of Baggett Subdivision, Section Two, as recorded in Book 4595, Page 14, Register's Office for Davidson County, Tennessee; thence South 88 deg. 48 min. West, 5.00 feet to the new line of Eatons Creek Road 25 feet from the center of Eatons Creek Road; thence, continuing South 88 deg. 48 min. West, 210.10 feet to the northwest corner of Lot 4; thence, along the line of the north line of Section One, Baggett Subdivision, as recorded in Book 3842, Page 93, Register's Office for Davidson County, Tennessee. South 88 deg. 32 min. West 175.50 feet to the northwest corner of said Subdivision, thence North 71 deg. 54 min. West, 248.20 feet (erroneously 210.00 feet in prior deed) to a point; thence North 1 deg. 28 min. East 712.60 feet to a point, the northwest corner of this tract; thence, along the north line of this tract, South 88 deg. 05 min. East 706.20 feet to a point, thence South 2 deg. 26 min. West, 177.00 feet to a point;t hence, North 87 deg. 34 min. West, 7.00 feet to a point; thence continuing on South 2 deg. 26 min. West, 209.00 feet to a point; thence, North 87 deg. 34 min. East, 43.5 feet to a point in the west line of Eatons Creek Road on a curve with a radius of 790.00 feet; thence along said curve in a southerly direction for 150.00 feet to a point; thence, south 2 deg. 26 min. West, 174.68 feet to the point of beginning.

Tract 1 also known as Map 21 Parcel 16-6289 Eatons Creek Rd., Joelton, TN.

Tract 2: A certain tract or parcel of land located in the 14th Civil District of Davidson county, Tennessee, and more particularly described by metes and bounds according to a survey made august 15, 1955, by Richard Omohundro, Surveyor, described as follows, to-wit: Starting at a point in a county road said point being 2 poles N. 65 deg. West from a spring; thence South 47-1/2 Deg. West 4.4 poles (72.6 ft.); thence south 25 deg. West 21 poles (346.5 ft); thence South 20 deg. West 6.6 poles (108.9 ft) to a point, the same being the point of beginning of the hereinafter described tract of land; thence South 60 deg. 15' East 348.4 feet to a stake; thence North 20 deg. 45' East 125 feet to a stake, thence North 60 deg. 15' West 348.4 feet to a point in said County road, thence South 25 deg. West 16.1 feet to a point, thence South 20 deg. West 108.9 feet tot he point of beginning and containing 1 acres, more or less.

Tract 2 also known as Map 22 parcel 9-6380 Eatons Creek Road, Joelton, TN.

Tract 3: Situated in the 14th Civil District of Davidson County, Tennessee, described as follows: Beginning in the center of the Springfield road at the Northwest corner of a lot belonging to Mrs. Swah; thence with her north line North 72 deg. East 238 feet to an iron pin; thence North 18 deg. West 100 feet to a stake in a field; thence South 72 deg. West 238 feet to the center of said Springfield Road; thence with center of same South 18 deg. East 100 feet to the beginning, containing 0.54 acres, more or less.

Tract 3 also known as Map 22 Parcel 26-7174 Whites Creek Pike, Joelton, TN.

Tract 1 (Map 21.00, parcel 016.00)being the same property conveyed to W.N. SMITH AND WIFE, ALMA N. SMITH, by Deed from Wayne Nichols, unmarried, of record in Book 9620, page 113, Register's Office for Davidson County, Tennessee. Alma N. Smith subsequently conveyed all of her right, title and interest in and to said property to W.N. Smith, by Quitclaim Deed of record in Instrument No. 20020719-0087124, said Register's Office. W.N. Smith subsequently died on 11-9-02, and by his Last Will and Testament filed in the Probate Court for Davidson County, Tennessee, to Docket No. 02P-2122, and filed in Will Instrument No. 5006\98272\1, said property was made part of the Estate. Pursuant to the Trust set up in said Last Will and Testament, Joe N. Smith, Executor, subsequently conveyed said property unto Joe N. Smith, Trustee under the Supplemental Needs Trust of Alma N. Smith, a forty percent (40%) share; Joe N. Smith, a thirty percent (30%) share, and Joy Patterson, a thirty percent (30%) share, by Executor's Quitclaim Deed of record in Instrument No. 20040225-0021357, said Register's Office.

Tract 2 being being the same property conveyed to W.N. SMITH AND WIFE, ALMA N. SMITH, by Deed from Docia Felts, a widow, of record in Book 2447, page 29, Register's Office for Davidson County, Tennessee. Alma N. Smith subsequently conveyed all of her right, title and interest in and to said property to W.N. Smith, by Quitclaim Deed of record in Instrument No. 20020719-0087115, said Register's Office. W.N. Smith subsequently died on 11/9/02, and by his Last Will and Testament filed in the Probate Court for Davidson County, Tennessee, to Docket No. 02P-2122, and filed in Will Instrument No. 5006\98272\1, said property was made part of the Estate. Pursuant to the Trust set up in said Last Will and Testament, Joe N. Smith, Executor, subsequently conveyed said property unto Joe N. Smith, Trustee under the Supplemental Needs Trust of Alma N. Smith, a forty percent (40%) share; Joe N. Smith, a thirty percent (30%) share, and Joy Patterson, a thirty percent (30%) share, by Executor's Quitclaim Deed of record in Instrument No. 20040225-0021355, said Register's Office.

Tract 3 being being the same property conveyed to W.N. SMITH AND WIFE, ALMA NICHOLSON SMITH, by Deed from Alice McMahon, Trustee, of record in Book 1451, page 440, Register's Office for Davidson County, Tennessee. Alma N. Smith subsequently conveyed all of her right, title and interest in and to said property to W.N. Smith, by Quitclaim Deed of record in Instrument No. 20020719-0087121, said Register's Office. W.N. Smith subsequently died on 11/9/02, and by his Last Will and Testament filed in the Probate Court for Davidson County, Tennessee, to Docket No. 02P-2122, and filed in Will Instrument No. 5006\98272\1, said property was made part of the Estate. Pursuant to the Trust set up in said Last Will and Testament, Joe N. Smith, Executor, subsequently conveyed said property unto Joe N. Smith, Trustee under the Supplemental Needs Trust of Alma N. Smith, a forty percent (40%) share; Joe N. Smith, a

thirty percent (30%) share, and Joy Patterson, a thirty percent (30%) share, by Executor's Quitclaim Deed of record in Instrument No. 20040225-0021353, said Register's Office.

Alma N. Smith, a/k/a Alma Nicholson Smith, has since died on March 17, 2005, and according to the Last Will and Testament of W.N. Smith, upon her death, the Supplemental Needs Trust was to terminate and her interest in said property was to be distributed to W.N. Smith's remaining beneficiaries, Joe N. Smith and Joy Patterson, n/k/a Joy S. Carlisle pursuant to Circuit Court Rule No. 11086 dated October 24, 2005, and Joe N. Smith, Trustee of under the Supplemental Needs Trust of Alma N. Smith subsequently conveyed his forty (40%) percent share of said properties equally unto Joe N. Smith and Joy S. Carlisle, by Quitclaim Deed of record in Instrument NO. _____, said Register's Office. Therefore Joe N. Smith and Joy S. Carlisle, f/k/a Joy Patterson, now each own a fifty (50%) percent share of said properties.

x20060203-0013479

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2006 and subsequent years, A LIEN, not yet due and payable (Map 21, Parcel 16; Map 22, Parcel 9; & Map 22, Parcel 26).

2. Unrecorded easements for roads and utilities, if any.

3. Sanitary Sewer and/or Storm Drainage Easement to Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 8698, page 731, Register's Office for DAVIDSON County, Tennessee, as to Tract 2.

4. Sanitary Sewer and/or Storm Drainage Easement to Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 7499, page 433, Register's Office for DAVIDSON County, Tennessee, as to Tract 3.