Davidson County DEEDWARR
Recvd: 03/08/06 14:59 2 pgs
Fees:13.00 Taxes:314.50

20060308-0027184

WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF Davidson

THE ACTUAL CONSIDERATON OR VALUE, WHICHEVER IS GREATER, FORTHIS TRANSFER IS **$85,000.00**

Melissa Woodward
AFFIANT

BRIAN J. VASKE NOTARY PUBLIC AT LARGE SUMNER COUNTY, TENN.

SUBSCRIBED AND SWORN BEFORE ME, THIS THE 28 DAY OF FEBRUARY, **2006.**

Brian Vaske
NOTARY PUBLIC

MY COMMISION EXPIRES 4.27.2008
(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
STATEWIDE TITLE AND ESCROW LLC 907 RIVERGATE PKWY D1
GOODLETTSVILLE TN 37072

Address New Owner(s) As Follows:	*Send Tax Bills To:*	Map and Parcel Number:
JAMES SMOTHERMAN	**SAME**	**42-9-121**
906 TUCKAHOE		
MADISON, TN 37115		

FOR AND IN CONSIDERATION OF THE SUM OF **$85,000.00**, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE,

HAROLD DEAN KIRBY AND WIFE, VICKI P. KIRBY

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO,

JAMES SMOTHERMAN, a single person

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN PARCEL OR TRACT OF LAND IN **DAVIDSON** COUNTY, STATE OF **TENNESSEE**, DESCRIBED AS FOLLOWS, TO-WIT:

Land in Davidson County, Tennessee, being Lot No. 65, Kemper Heights, Section Two, as shown on the plat of record in Plat Book 2331, Page 104, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to Vicki P. Kirby by Quitclaim Deed from Virginia Porter filed for record on 02/02/82 in Deed Book 5848, page 212, said Register's Office.

Being the same property further conveyed to Harold Dean Kirby and wife, Vicki P. Kirby by Quitclaim Deed from Vicki P. Kirby dated 09/23/05 and filed for record 09/28/05 in Instrument No. 20050928-0116537, Register's Office for Davidson County, Tennessee. See also Warranty Deed of record in Book 5135, Page 207, Register's Office for Davidson County, Tennessee.

Subject to all matters of record in the Plan of Record in Plat Book 2331, page 104, said Register's Office.

Subject to easement of record in Book 5569, Page 127, said Register's Office.

Subject to restrictions of record in Plat Book 2442, page 459, said Register's Office.

This ( )Unimproved
(X) Improved property is known as: **906 TUCKAHOE**
MADISON, TN 37115

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do not covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and ever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my hand this 28 day of **FEBRUARY, 2006**

HAROLD DEAN KIRBY

VICKI P. KIRBY

STATE OF TENNESSEE

COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, **HAROLD DEAN KIRBY AND VICKI P. KIRBY,** the named bargainor(s), with whom I am personally acquainted and/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 and official seal at Madison, **Tennessee.**

This 28 day of **FEBRUARY, 2006.**

Notary Public

My Commission Expires: 4-27-2008

BRIAN J. VASKE
NOTARY PUBLIC AT LARGE
SUMNER COUNTY, TENN.