Davidson County DEEDWARR
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Fees:18.00 Taxes:260.23
20060331-0036717

SPECIAL WARRANTY DEED

FROM: FIFTH THIRD BANK, N.A.,
Grantor

TO: JAMES L. DEATRICK, JR. and
MARTY L. PENIX
Grantees

This instrument was prepared by:
Jeffrey R. King
Stites & Harbison, PLLC
424 Church Street, Suite 1800
Nashville, Tennessee 37219

Address New Owner(s) as Follows:	Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes	Map-Parcel Number
1285 North Mt. Juliet Road Mt. Juliet, TN 37122	(New Owner)	108-16-164

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is Seventy Thousand Three Hundred Thirty Three and 34/100 Dollars ($70,333.34).

Marty Le Penix
Affiant

SUBSCRIBED AND SWORN TO before me, this the 27th day of March, 2006.

Notary Public

DEAN ROBINSON NOTARY PUBLIC AT LARGE WILSON CO. TENN.

My Commission Expires: 12-16-07

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Fifth Third Bank, N.A., a national banking association (successor by merger to Franklin National Bank), ("**Grantor**"), has bargained and sold, and by these presents does transfer and convey unto James L. Deatrick, Jr. and Marty L. Penix, as tenants in common, ("**Grantees**"), their heirs, successors and assigns, a certain tract or parcel of land Davidson County, State of Tennessee, more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

The Property is improved property known as 1026 Hammock Court, Nashville, TN 37214.

This conveyance is expressly made subject to those matters more specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title and interest thereto belonging to Grantees, their heirs, successors and assigns forever.

And Grantor does covenant with Grantees that Grantor is lawfully seized and possessed of the Property in fee simple and Grantor has a good right to convey the Property.

And Grantor does further covenant and bind Grantor, its successors and assigns to warrant and forever defend the title to the Property to Grantees, their heirs, successors and assigns against the lawful claims of all persons whomsoever claiming by, through or under Grantor (other than claims arising from the matters set forth on Exhibit B), but not further or otherwise. This conveyance is expressly made subject to the matters set forth on Exhibit B.

Witness my hand this 29th day of March, 2006.

FIFTH THIRD BANK, N.A.

By: _____

Title: Vice President

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Erika Langley, a Notary Public of said County and State, personally appeared Dale Maxfield, Sr., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Vice President (or other officer authorized to execute the instrument) of FIFTH THIRD BANK, N.A., the within named bargainor, a national banking association, and that he as such Vice President executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as its Vice President.

Witness my hand and seal this 29th day of March, 2006.

_____
Notary Public

ERIKA A. LANGLEY
Notary Public At Large
COFFEE COUNTY, TENNESSEE

My Commission Expires: 9/13/08

EXHIBIT A

Property Description

Being a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

Being Lot No. 65A of the zone lot division of Lot No. 65, of Section III, revised Percy Priest Woods, of record in Plat Book 6250, page 621, amending Plat Book 5200, page 789, Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being the same property conveyed to Fifth Third Bank, N.A., by Successor Trustee's Deed from Robert C. Goodrich, of record as Instrument No. 20060207-0015071, Register's Office of Davidson County, Tennessee.

EXHIBIT B

Encumbrances

1. Taxes for 2006 constitute a lien, but are not yet due and payable.

2. Restrictive covenants contained in instrument of record in Book 5984, page 865, Book 6020, page 270, Book 6353, page 307, Book 6560, page 667, Register's Office of Davidson County, Tennessee.

3. Matters appearing on the Plan of Percy Priest Woods Section 3, of record in Plat Book 5200, page 789, revised to zone lot in Plat Book 6250, page 621, Register's Office of Davidson County, Tennessee.

4. Easement granted Kodill Properties of record in Book 6071, page 491, Register's Office of Davidson County, Tennessee.

5. Sanitary Sewer Line Easement of record in Book 6095, page 803, Register's Office of Davidson County, Tennessee.

6. Sewer Line Easement of record in Book 6147, page 886, and Book 6147, page 893, Register's Office of Davidson County, Tennessee.

7. Matters appearing on the Zone Lot Division Plan of Percy Priest Woods 49, 50 and 51, Section Two, of record in Plat Book 5800, page 259, revised to zone lot in Plat Book 6250, page 261, Register's Office of Davidson County, Tennessee.