PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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Davidson County DEEDWARR
Recvd: 08/09/06 09:23 3 pgs
Fees:18.00 Taxes:1672.77
20060809-0097751

W & I Ref: Title No: 48034

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Jerry Smith Marjorie Smith 1300 Holly Street Nashville, Tennessee 37206	SAME

TAX MAP-PARCEL NUMBERS: 08309025700

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$452,100.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Brian E. Noland and spouse, Donna F. Noland**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Jerry Smith and spouse, Marjorie Smith** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

Land in Davidson County, Tennessee, being Lot No. 11 on the Plan of Spring Park Subdivision of record in Book 57, page 134, Register's Office for said County.

Said Lot No. 11 fronts 50 feet on the Easterly margin of South 13th, formerly to an Ann Street and extends back between parallel lines, with the southerly margin of Holly Street, formerly Elm Street 160 feet to an alley.

Being the same property conveyed to Brian E. Noland and spouse, Donna F. Noland by deed from Carol Lienhart Boner, unmarried of record in Doc. No. 200008290085280, Register's Office for Davidson County, Tennessee.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2006, and subsequent years; All matters shown on the Plan, with Owner's Certificate, of record in Plat Book 57 Page 134, said Register's Office; Restrictive Covenant for Detached Structure of record in Doc. No. 20050817-0097918, said Register's Office.

This instrument is executed on behalf of Brian E. Noland by Donna F. Noland as Attorney in Fact pursuant to a Power of Attorney being recorded simultaneously herewith. The affidavit of said Attorney in Fact is attached as "Exhibit A' to this instrument and incorporated herein by reference.

This is improved property, known as: 1300 Holly Street, Nashville, Tennessee 37206

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 31st day of July, 2006 .

Brian E. Noland by Donna F. Noland

Brian E. Noland By:Donna F. Noland, Atty-in-Fact

Donna F. Noland

State of TENNESSEE
County of DAVIDSON

On this 31st day of July, 2006 , before me the undersigned authority, personally appeared **Donna F. Noland** , to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires JULY 21, 2007

Notary

State of TENNESSEE
County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $452,100.00

Affiant

Sworn and subscribed before me this 31st day of July, 2006

My Commission Expires: 5/22/10

Notary Public

ALAN D. MAZER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAY 22, 2010

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 , **Donna F. Noland** with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of **Brian E. Noland** , as Attorney-in-Fact, as the free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this 31st day of July, 2006

Notary Public

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007

EXHIBIT "A"
To
Warranty Deed

FROM: Brian E. Noland and spouse, Donna F. Noland

TO: Jerry Smith and spouse, Marjorie Smith

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited is executed by the undersigned as attorney-in-fact for the principal(s) thereon shown.

2. That this execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. Pursuant to the provisions of *Tennessee Code Annotated,* Section 34-6-105(c), of the Uniform Durable Power of Attorney Act, the undersigned Affiant certifies that at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Donna F. Noland, Affiant

Sworn to and subscribed before me this

31st day of July, 2006

Notary Public

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.
My Commission Expires JULY 21, 2007