ENTERED
John C. Isbell
PROPERTY ASSESSOR
AUG 15 2006
MAP__GP__CTL__PAR__
94.17

Davidson County DEEDWARR
Recvd: 08/18/06 14:29 3 pgs
Fees:17.00 Taxes:0.00
20060818-0102300

Pamela L. Whitaker, Register
Sumner County Tennessee
Rec #: 648979
Rec'd: 15.00 Instrument #: 806014
State: 0.00
Clerk: 0.00 Recorded
EDP: 2.00 8/15/2006 at 8:00 AM
Total: 17.00 in
Record Book 2569 Pgs 657-659

SEND TAX BILLS TO:
NEW PROPERTY OWNERS:
Larry and Janice Kirk
2406 - 11th St. SE
Decatur, AL 35601

THIS INSTRUMENT PREPARED BY:
KELLY AND SMITH
125 PUBLIC SQUARE
GALLATIN, TENNESSEE 37066

DEED TO CREATE A TENANCY BY THE ENTIRETY

FOR AND IN CONSIDERATION of the sum of TEN ($10.00) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, and the love and affection which I have for my wife, JANICE M. KIRK, I, **LARRY MICHAEL KIRK** have this day bargained and sold and by these presents do hereby transfer and convey unto the said **JANICE M. KIRK**, her heirs and assigns, such and sufficient interest in and to the within described tracts or parcels of land so as, and for the purpose of, creating a **TENANCY BY THE ENTIRETY** in me, LARRY MICHAEL KIRK and my wife, JANICE M. KIRK, in and to the following described property:

SITUATED in Davidson County, Tennessee, more particularly described as follows:

TRACT I: (Map and Parcel #04305014700)

BEING Lot No. 16 and the East 35 feet of Lot No. 15, of BLOCK "B" on the Map of KENNASTON ESTATES, of record in Book 843, page 83, in the Register's Office for Davidson County, Tennessee. Said lots adjoin and front together 85 feet on the South side of Roosevelt Street and run back between parallel lines 139 feet to a dead line.

TRACT II: (Map and Parcel #04305016100)

BEING Lot No. 27 of BLOCK "B" on the Map of KENNASTON ESTATES, of record in Book 843, page 83, in the Register's Office for Davidson County, Tennessee. Said Lot No. 27 fronts 50 feet on the Northerly side of Garner Street and runs back between parallel lines 139 feet to a dead line.

SITUATED in the Eighth Civil District of Sumner County, Tennessee, more particularly described as follows:

TRACT III: (Map 094 Parcel 015.00)

BEGINNING at a planted rock in the center of the Turnpike Road (Red River) on J. T. Strother's line; running thence North 39-1/2 degrees East 20 poles and 20 links to a planted rock in Alexander Parham's line; thence South 44 degrees East with said Parham's line, 15 poles and 16 links to William L. Harper's corner in the center of the creek; thence South 50 degrees West with said Harper's line 17 poles and 7 links to the center of said Red River Turnpike Road in said J. T. Strother's line; thence North 62-1/2 degrees West with the said road and said Strother's line; 12 poles to the beginning, containing one (acre) and two (2) rods, more or less.

THERE IS INCLUDED IN THIS DESCRIPTION BUT EXPRESSLY EXCLUDED FROM THIS AFFIDAVIT, THE FOLLOWING DESCRIBED TRACT OR PARCEL OF LAND:

BEGINNING at the point of intersection of the existing northeast margin of S. R. 25 and the southeast boundary of the Cottontown Home Demonstration Club property; thence with said southeast boundary North 43 degrees 00 minutes 00 seconds East 62.70 feet to a point; thence with the proposed northeast margin of said road; South 63 degrees 10 minutes 43 seconds East 95.31 feet; North 71 degrees 55 minutes 52 seconds East 124.60 feet; North 70 degrees 41 minutes 42 seconds East 30.93 feet to a point; thence with the existing northwest margin of Bug Hollow Road

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southwesterly 197 feet, more or less, to a point; thence with said existing northeast margin of S. R. 25 westerly 140 feet, more or less, to the point of beginning, containing 0.385 acres, more or less.

BEING the same property conveyed to the State of Tennessee by deed from Lucy Pitt Kirk, dated September 30, 1989 and of record in Record Book 103, page 31, in the Register's Office for Sumner County, Tennessee.

TRACT IV: (Map 094 Parcel 017.00)

Parcel No. 1:

BEGINNING at 22 poles East of the Southwest corner of the Sutton tract of land, running that distance along John Rutledge's line to said Southwest corner; thence North 30-3/4 degrees West 70 poles to a stone in A. Poshone's line; thence North 1/4 degree West along Poshone's and I. S. Harper's line to a point in said Harper's line where a line runs in a Southernly direction to the beginning, containing 11 acres, 2 rods and 26 poles, more or less.

Parcel No. 2:

BOUNDED as follows: BEGINNING at a rock in Harper's line and corner to Cooley and Cunningham's; thence North 79-1/2 degrees East 2.75 chains to rock; thence South 86-1/2 degrees East 4.45 chains to rock; thence South 19-1/2 degrees East 10.4 chains to a rock; thence South 64-1/2 degrees West 7.55 chains to a rock in Pitt's line; thence North 29-1/2 degrees East 8 chains to rock, Pitt's corner; thence North ½ degree East 5.82 chains to the beginning, containing 9-3/4 acres, be the same, more or less.

Parcel No. 3:

BOUNDED as follows: BEGINNING at Locust post in Pitt's line; thence North 56-1/2 degrees East 5.52 chains to a rock; thence North 19-1/2 degrees West 11.48 chains to a rock; thence South 65-1/4 degrees West 7.50 chains to Pitt's corner; thence South 29-1/2 degrees East 12.18 chains to the beginning, containing 7.65 acres, more or less.

BEING the same property devised to Larry Michael Kirk by Will of Lucy Margaret Kirk. For further reference see Affidavit of Heirship being recorded simultaneously with this Deed to Create a Tenancy by the Entirety. Record Bk 2569 Pg 652

Davidson ROD: 200608180102299

TO HAVE AND TO HOLD such and sufficient interest in the above described tracts or parcels of land, together with all the improvements thereon and the appurtenances thereunto belonging, unto my wife, JANICE M. KIRK, her heirs and assigns, for the purpose of creating a tenancy by the entirety in my wife, JANICE M. KIRK, and me, to have and to hold in fee simple.

I COVENANT with the said GRANTEE that I am lawfully seized and possessed of said tracts or parcels of land and that I have a good right to convey same and that it is unencumbered except for 2006 real estate taxes, applicable zoning and building regulations and all visible easements.

I FURTHER COVENANT with said GRANTEE and bind myself, my heirs and legal representatives to warrant and forever defend the title to said interest in and to said tracts or parcels of land, unto the said JANICE M. KIRK, her heirs and assigns, for the purpose of creating a tenancy by the entirety as aforesaid, against the lawful claims of all persons whomsoever.

WITNESS my hand this the 21st day of July, 2006.

LARRY MICHAEL KIRK

STATE OF ALABAMA

COUNTY OF MORGAN

PERSONALLY appeared before me, the undersigned, a Notary Public, in and for said County and State, the within named LARRY MICHAEL KIRK, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal this the 21st day of July, 2006.

NOTARY PUBLIC

TANJA L. LEWIS NOTARY PUBLIC ALABAMA STATE AT LARGE

MY COMMISSION EXPIRES: My Commission Expires 03-02-2008

OATH

STATE OF ALABAMA

COUNTY OF MORGAN

I, hereby make oath or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $ **Entirety Deed** , which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

AFFIANT

SWORN to and subscribed before me, this the 21st day of July, 2006.

NOTARY PUBLIC

MY COMMISSION EXPIRES: My Commission Expires 03-02-2008

TANJA L. LEWIS NOTARY PUBLIC ALABAMA STATE AT LARGE