*This instrument is being re-recofded to add a notary seal

Davidson County DEEDWARR
Recvd: 10/02/06 12:25 2 pgs
Fees:13.00 Taxes:338.92
[redacted]
20061002-0121516

This Instrument Prepared By:
Lee & Lee Attorneys, PC
109 East Gay Street
Lebanon, Tennessee 37087

L&L# 7929

ADDRESS NEW OWNER:
Howard D. Kirby, II
104 Sarver Avenue
Madison, Tennessee 37115

SEND TAX BILL TO:
Mortgagee

MORTGAGEE:
First Franklin, a Division of National City Bank
P.O. Box 6759
Springfield, OH 45501-6759

MAP **43.01**
GROUP
PARCEL **116.00**

Davidson County DEEDWARR
Recvd: 10/10/06 09:27 2 pgs
Fees:12.00 Taxes:0.00
20061010-0125608

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named GRANTEES, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Carolyn Gayle Kirby** hereinafter called the GRANTOR, has bargained and sold, and by these presents, does transfer and convey unto **Howard D. Kirby, II and wife, Jana C. Kirby**, hereinafter called the GRANTEES, their heirs and assigns, that certain tract or parcel of land located in Davidson County, State of Tennessee, described as follows, to-wit:

A certain tract or parcel of land located in the 19th Civil District of Davidson County, Tennessee, being more particularly described as follows, to-wit:

Land in Davidson County, Tennsesee, being part of Lot A on the corrected map of the W. P. Ready Subdivision of the E. H. Thornton Tract of land, of record in Book 332, page 110, Register's Office for said County, described according to a survey of Richard B. Omohundro dated August 28, 1972, as follows:

Beginning at a point in the southerly margin of Sarver Avenue, formerly Madison Avenue at the northeast corner of the property now or formely owned by R. E. Davis; thence with the margin of said street, easterly 60 feet to the northwesterly corner of the property now or formerly owned by C. F. Purvis; thence with his westerly line southerly 200 feet to a point; thence westerly 60 feet to a point; thence northerly 200 feet to the point of beginning.

Being the same property conveyed to Carolyn Gayle Kirby by deed from Louise W. Chandler, for the Express Purpose of Creating a Fee Simple Estate in the Grantee dated January 27, 1999, of record in Book 11321, page 861, Register's Office for Davidson County, Tennessee.

This is improved property known as 104 Sarver Avenue, Madison, Tennessee 37115. Possession is to be given on September 28, 2006.

THIS CONVEYANCE is made subject to all taxes, restrictions, easements, zoning and planning ordinances, and health department regulations that may affect the premises.

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,

RE-RECORD

GRANTOR does covenants with the said GRANTEES that she is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and warrants that the same is unencumbered unless otherwise herein set out; and,

GRANTOR, does further covenant and bind herself, her heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS our hands this the 28th day of September, 2006.

Carolyn Gayle Kirby

STATE OF TENNESSEE)
COUNTY OF WILSON)

Personally appeared before me, the undersigned Notary Public in and for said County and State, **Carolyn Gayle Kirby**, the bargainors, 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 purposes therein contained.

WITNESS my hand and official seal at office this 28th day of September, 2006.

J. C. Ross
NOTARY PUBLIC

J.C. ROSS NOTARY PUBLIC STATE OF TENNESSEE

My Commission Expires: 4.28.08

* * * * * *

STATE OF TENNESSEE)
COUNTY OF WILSON)

The actual value or consideration, whichever is greater, for this transfer is $91,600.00.

AFFIANT

Subscribed and sworn to before me on this 28th day of September, 2006.

J C Ross
NOTARY PUBLIC

J.C. ROSS NOTARY PUBLIC STATE OF TENNESSEE

My Commission Expires: 4.28.08