Prepared by: John G. Doak, Sr., Atty, 2525-A Lebanon Road, Nashville, TN 37214-0414 BPR # 002343

Warranty Deed

From:	Ricky York and wife Janice York
To:	James Franklin Scarlett and wife Allison B. Scarlett
Address:	937 Old Lebanon Dirt Road, Hermitage TN 37076

Davidson County DEEDWARR
Recvd: 10/25/06 09:07 2 pgs
Fees:13.00 Taxes:1230.25

20061025-0132125

Map 76, Parcel 52

Send Tax Bills To:	James Franklin Scarlett and wife Allison B. Scarlett
Address	937 Old Lebanon Dirt Road, Hermitage TN 37076

State of Tennessee

The actual consideration or value, whichever is greater, for this transfer is: $ 332,500.00

Affiant

Sworn to and subscribed before me on October 20th 2006

Notary Public

My Commission Expires: 11/22/2008

FOR AND IN CONSIDERATION of the sum of Three Hundred Thirty Two Thousand Five Hundred ($332,500.00) Dollars cash in hand paid to Grantors, Ricky York and wife Janice York by Grantees, James Franklin Scarlett and wife Allison B. Scarlett; the receipt and sufficiency of which are hereby acknowledged, Grantors, Ricky York and wife Janice York, aka Janice Sircy, aka Janice S. York, have this day bargained and sold, and do hereby transfer and convey unto Grantees, James Franklin Scarlett and wife Allison B. Scarlett, their heirs, successors and assigns, the following described real property in the 4th Civil District of Davidson County, Tennessee, to wit:

Lot 1, Section One on the Plan of the Opal Sircy Property, as of record in **Book 5800 Page 30**, Registers Office for Davidson County Tennessee **("RODC")**, together with the non-exclusive right to the use of "Sircy Lane" a privately maintained* 17 ft wide private lane or roadway shown on said subdivision plan,** for ingress and egress to and from the property and Old Lebanon Dirt Road, all as shown on the subdivision Plan of record in ****Book 5800 page 30, RODC**, to which Plan reference is hereby made for a more particular and accurate description; and,

Being property which was conveyed to Janice Sircy by deed from Opal Brent and husband W. T. Brent of record in **Book 5856 page 573;** and thereafter conveyed by the said Janice Sircy by use of a "Strawman Quitclaim Deed" of record in **Book 7266 Page 340 RODC** to Steven G. Waters, Trustee; and in that same instrument, from the said Steven G. Waters, Trustee to Janice Sircy and Ricky York "as joint tenants with right of survivorship"; and the said Ricky York and Janice Sircy have since married; and,

Seller hereby grants Buyer the "First Right of Refusal to purchase Seller's 3.01 acre tract, having the street address of 939 Old Lebanon Dirt Road, and is Parcel 59 on Metro Tax Map 76, and adjoins Lot 1, Section One (on it's east) and also lies along the northerly margin of Sircy Lane; and additionally the "First Right of Refusal to purchase Seller's 2.29 acre Tract, having a street address of 941 Old Lebanon Dirt Road, and is Parcel 58 on Metro Tax Map 76, and also lies along the northerly margin of Sircy Lane, between the easterly line of Seller's 3.01 acre tract and the westerly margin of Old Lebanon Dirt Road for the period of 72 hours after Seller notifies Buyer in writing that Seller has received a firm offer to purchase either one or both of said tracts or that Seller is ready to sell one or both. Upon receipt of such notice Buyer shall have 72 hours within which to meet such offer or in the later case, to make seller an offer to purchase that is acceptable to Seller.

FOOTNOTES

The 2.29 acre tract referred to above was conveyed to Janice Sircy and Ricky York by Warranty Deed from Michael D. Decker and wife Rebecca S. Decker of record in Book 8733 page 292 RODC; and,

The 3.01 tract, was conveyed to Ricky York and wife Janice York by two Warranty Deeds, the first, from James D. Simmons, Jr. and wife, Judith Simmons, conveying 2.719 acres, and recorded in Book 10525, page 121, RODC, and, the second, From Guy E Haskins and wife Shirley J. Haskins, conveying 0.293 acres±, and recorded as instrument No. 20010530-0055855, RODC.

**** Lot 1, Section One of the Opal Brent Property of record in Book 5800 page 30, is also known as Subdivision 82-4-G, is Parcel 52 on Metro Tax Map 76; and, the "Agreement to Maintain" i.e.*Sircy Lane is of record in Book 5852 page 623 RODC.**

This is improved real property, known as: 937 Old Lebanon Dirt Road

TO HAVE AND TO HOLD the said real estate, with the appurtenances, estate, title and the interests thereto described, and belonging; to Grantees, James Franklin Scarlett and wife Allison B. Scarlett, their heirs, successors, and assigns, in fee simple forever; and, Grantors further covenant that they are lawfully seized and possessed of said real estate, in fee simple, that they have a good right to convey it, and that the same is unencumbered, except for the lien of a deed of trust in the Original Principal amount of $48,000.00, dated July 11th 1997, of record in Book 10539, page 37, RODC, and executed by Janice Sircy, nka Janice Sircy York, and Ricky York, in favor of Union Planters Bank of Middle Tennessee, N.A. (nka Regions Bank), to matters shown on the Subdivision Plan of Lot 1, Section One of the Opal Brent Property of record in Book 5800 page 30 RODC, which shows an owner's certificate, three "Sewage Soil Absorption System Notes", a note referring to Sircy Lane as being 17± feet wide and "(Privately Maintained by individual Owners) and refers to a Maintenance Agreement recorded in Book 5852 page 623 RODC; said plan shows that Sircy Lane is 17ft± wide and extends from centerline of Old Lebanon Dirt Road, in a westerly direction along the southerly lines of the 2.29 acre and 3.01 acre tracts (which Grantors continue to own) and along the southerly line of Lot 1, Section One of the Opal Brent Property in Bk 5800, page 30 (the property being conveyed to Grantees by Grantors herein) and extends on into the property to the West of said Lot 1, Section One; and said plan shows a 15 ft utility easement along the northerly margin of Lane, as well as along the easterly and westerly lines of said Lot 1, Section One, and it shows a 60 foot Minimum building setback line from the northerly margin of Sircy Lane, and extending from the Westerly line of Lot 1, Section One, to the centerline of Old Lebanon Dirt Road; and

Grantors further covenant and bind themselves, heirs, successors, and assigns, to warrant and forever defend the title to the said real estate to said Grantees, heirs, successors, and assigns, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, Grantors have hereby set our hands on October 20th 2006

Ricky York

Janice York

State of Tennessee

Before the undersigned, a Notary Public in and for Tennessee personally appeared the within named Ricky York and wife Janice York, aka Janice Sircy, aka Janice S. York with whom I am personally acquainted or who presented satisfactory proof of identification, and did swear to and subscribe the within instrument and then acknowledged that they and each of them had executed the same for the purposes therein contained and as their own free act and deed.

Witness my hand at office in Davidson County, Tennessee on October 20th, 2006.

JOHN G. DOAK STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

Commission Expires: 11/22/2008