THIS INSTRUMENT PREPARED BY:
Glenn S. Macbeth, Attorney
Suite 102 Stone Gate Corporate Center
1639 Medical Center Parkway
Murfreesboro, TN 37129

NAME AND ADDRESS OF NEW OWNERS:
Kyle G. Morse
5149 Ravens Glen
Nashville, TN 37211
SEND TAX BILLS TO:
Bank of America, N.A.
900 West Trade Street
Charlotte, NC 28255

Davidson County DEEDWARR
Recvd: 11/02/06 09:58 2 pgs
Fees:13.00 Taxes:1572.50
20061102-0136065

WARRANTY DEED

(Map 172-14-0B, Parcel 216.00)

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS, cash in hand paid and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the undersigned, **RODGER M. SMITHERMAN, II and wife, CONTENA D. SMITHERMAN**, hereinafter referred to as "Grantors", have bargained and sold and do hereby transfer and convey unto **KYLE G. MORSE, unmarried,** hereinafter referred to as "Grantee", his heirs and assigns forever, that certain property located and situated in Davidson County, Tennessee, and more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 216 on the Plan of Winfield Park, Phase 1, Section 2, Revision 2, a Planned Unit Development, of record in the Register's Office of Davidson County, Tennessee, as Instrument 20010313-0024087, to which said plan reference is hereby made for a more complete and accurate legal description thereof.
>
> BEING the same property conveyed to Rodger M. Smitherman, II, and Contena D. Smitherman, by deed dated June 25, 2001, from Turnberry Homes, LLC, of record in Instrument 20010628-0068733, Register's Office for Davidson County, Tennessee.
>
> THIS CONVEYANCE IS MADE SUBJECT TO minimum building setback lines, public utility and drainage easements, and all other matters as shown on subdivision plat of record in Instrument 20010313-0024087; to restrictive covenants of record in Book 11113, page 691; to by-laws of record in Book 11113, page 717, all in the Register's Office for Davidson County, Tennessee; and to all zoning and subdivision regulations of the appropriate governmental body, together with any easements or right-of-ways for public roads and utilities.

This is improved property known as 5149 Ravens Glen, Nashville, TN 37211.

TO HAVE AND TO HOLD the said real estate, together with all appurtenances, estate, title and interest belonging to the said Grantee, his heirs and assigns, forever.

Grantors covenant with the said Grantee that Grantors are lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered except as noted herein, and for the 2006 real property taxes which will be prorated and paid at closing.

Grantors further covenant and bind Grantors, their heirs and representatives, to warrant and forever defend the title to said real estate unto the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS OUR HANDS and signatures on this the 30th day of October, 2006.

RODGER M. SMITHERMAN, II

CONTENA D. SMITHERMAN

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 Rodger M. Smitherman, II and Contena D. Smitherman, the bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal, this the 30th day of October, 2006.

Notary Public

My Commission Expires: 9-7-2010

(SEAL)

GLENN S. MACBETH
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF RUTHERFORD
MY COMMISSION EXPIRES SEPTEMBER 7, 2010

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $425,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 30th day of October, 2006.

Notary Public

My commission expires: 9-7-2010

File No. 20060185

GLENN S. MACBETH
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF RUTHERFORD
MY COMMISSION EXPIRES SEPTEMBER 7, 2010