Davidson County DEEDWARR
Recvd: 03/01/07 09:20 3 pgs
Fees:18.00 Taxes:522.51
20070301-0025155

RETURN TO:
BLUE STAR TITLE & ESCROW, LLC
279 ROBERT ROSE DRIVE, STE B
MURFREESBORO, TN 37129

-Send Tax Statements To:
New Owner

This Instrument Prepared By:
JOHN G. MITCHELL, III
Attorney at Law
279 Robert Rose Drive, Suite B
Murfreesboro, TN 37129

Name and Address of New Owner:
Dustin E. Smith
1980 Shaylin Loop
Antioch, TN 37013

From Information Furnished By
The Parties

Map and Parcel:
173-05-0A-092.00

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, **OLE SOUTH PROPERTIES, INC., a Tennessee Corporation,** has this day bargained and sold and does hereby transfer and convey **DUSTIN E. SMITH, an unmarried man,** his heirs unto heirs and assigns, forever, that certain parcel of real estate located in Davidson County, State of Tennessee, within the corporate limits of the City of Antioch, and being described as follows, to-wit:

BEING all of Lot No. 92 (Ninety-Two) on the Plan of Barnes Crossing, A Planned Unit Development, as shown by Master Deed of record in Instrument Number 20050721-0084791, and Amended of record in Instrument Number 20051114-0136938, of said Register's Office, to which plat reference is hereby made for a more complete description of said property.

BEING a portion of the same property conveyed to Ole South Properties, Inc., a Tennessee Corporation, by deed from Barnes Crossing, LLC, a Tennessee Limited Liability Company, dated October 11, 2006, appearing of record in Instrument Number 20061013-0127266; Further Source(s) of Title of record in Instrument Number 20041207-0145544 and in Instrument Number 20050203-0012945 of the Register's Office of Davidson County, Tennessee.

THIS conveyance is made subject to Master Deed and By-Laws of record in Instrument Number 20050721-0084791, in Instrument Number 20050805-0092480, and in Instrument Number 20051114-0136938; Easement to Metro of record in Instrument Number 20050721-0084791 and in Instrument Number 20050811-0095171; Charter of Home Owner's Association included in Master Deed as Exhibit B; Planned Unit Development Boundary of record in Instrument Number 20050128-0010427; all matters shown on said Master Deed of record in Instrument Number 20050721-0084791 as Amended of record in Instrument Number 20051114-0136938; all of said Register's Office.

This conveyance is subject to any and all existing easements and/or restrictions of record.

TO HAVE AND TO HOLD said real estate, together with all of the appurtenances, estate and title thereunto belonging unto the said **DUSTIN E. SMITH,** ~~an~~ **unmarried,** ~~his~~ heirs and assigns, forever.

The undersigned covenants with the said Grantee that it is lawfully seized and possessed of said parcel of real estate, and that it has a good right to convey the same and that it is un-encumbered, except for the lien of the 2007 real property taxes which have been prorated between the parties and are assumed by the Grantee.

The undersigned further covenants and binds itself, its successors and assigns to forever warrant and defend the title to said real estate to the Grantee, his heirs and assigns, against the lawful claims of all persons, whomsoever.

This property is subject to and includes any and all lawful easements, setback lines, restrictions, etc. of record and applying to the within described property and to the zoning regulations of the appropriate governmental body.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 26th day of February, 2007.

**OLE SOUTH PROPERTIES, INC.**

**BY:** _____ VP

**Roger Case, Vice President**

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named **Roger Case,** with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the **Vice-President** of **OLE SOUTH PROPERTIES, INC., a Tennessee Corporation,** the bargainor, and that he as such **Vice-President,** executed the foregoing instrument (WARRANTY DEED) for the purposes therein contained, by signing the name of the corporation by himself as its **Vice-President.**

WITNESS MY HAND AND OFFICIAL SEAL in Antioch, Tennessee, this the 26th day of February, 2007.

_____
NOTARY PUBLIC
My Commission Expires: 2/24/09

SHERI L. MORGAN NOTARY PUBLIC My Comm. Expires February 24, 2009 AT LARGE RUTHERFORD COUNTY, TN

# AFFIDAVIT

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $141,220.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Zaila K Estes
AFFIANT

SWORN to and subscribed before me,
this the 16th day of February, 2007.

Sheri L Morgan
NOTARY PUBLIC
My Commission Expires: 2/24/09

SHERI L. MORGAN
NOTARY PUBLIC
My Comm Expires
February 24, 2009
AT LARGE
RUTHERFORD COUNTY, TN