PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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Davidson County DEEDWARR
Recvd: 06/07/07 10:04 3 pgs
Fees:18.00 Taxes:1073.00
20070607-0068256

W & I Ref: Title No: 48662

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Ellen H. Clark 3912 Murphy Road Nashville, Tennessee 37209	Bank of England dba ENG Lending #5 Statehouse Plaza, Suite 500 Little Rock, Arkansas 72201

TAX MAP-PARCEL NUMBERS: 10405000500

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$290,000.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Peter J. Swarr, married,** hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Ellen H. Clark** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

LAND in Davidson County, Tennessee, being the west 50 feet of Lot No. 22 in West Grove Subdivision, a Plan of which is of record in Book 421, Page 85, Register's Office for Davidson County, Tennessee.

SAID part of Lot No. 22 fronts 50 feet on the north side of Murphy Road and runs back between parallel lines 164.4 feet to the southerly margin of an alley.

BEING the same property conveyed to Peter J. Swarr by deed dated February 27, 2004 from Matthew Fleener and wife, Erin Fleener of record in Document No. 20040305-0025766 Register's Office for Davidson County, Tennessee.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2007, and subsequent years; All Matters shown on the Plan of record in Book 421, Page 85, said Register's Office.

Elizabeth Swarr, spouse of Peter J. Swarr, joins in this conveyance solely to convey any and all marital interest she may have in subject property.

This instrument is executed on behalf of Elizabeth Swarr by Peter J. Swarr pursuant to a Power of Attorney executed by her on the 14th day of May, 2007, of record in Instrument No. 20070607-0068255, Register's Office for Davidson, County, Tennessee. The affidavit of said Attorney in Fact is attached as "Exhibit A" to this instrument and incorporated herein by reference.

This is improved property, known as: 3912 Murphy Road, Nashville, Tennessee 37209

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 5th day of June, 2007.

Peter J. Swarr

Elizabeth Swarr By:Peter J. Swarr, Atty-in-Fact

Atty-In-Fact

State of TENNESSEE
County of DAVIDSON

On this 5th day of June, 2007, before me the undersigned authority, personally appeared **Peter J. Swarr**, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 21, 2007

Notary

State of TENNESSEE
County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $290,000.00.

Affiant

Sworn and subscribed before me this 5th day of June, 2007.

My Commission Expires: _____

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 21, 2007

Notary Public

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, **Peter J. Swarr** with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of **Elizabeth Swarr** , as Attorney-in-Fact, as the free act and deed of the said Principal.

Witness my hand and official seal at Nashville, Tennessee, this 5th day of June, 2007.

Notary Public

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 21, 2007

EXHIBIT "A"
To
Warranty Deed

FROM: Peter J. Swarr

TO: Ellen H. Clark

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited is executed by the undersigned as attorney-in-fact for the principal thereon shown.

2. That this execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. Pursuant to the provisions of *Tennessee Code Annotated,* Section 34-6-105(c), of the Uniform Durable Power of Attorney Act, the undersigned Affiant certifies that at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Peter J. Swarr, Affiant

Sworn to and subscribed before me this

5th day of June, 2007

Notary Public

My Commission Expires:

CHRISTY W. IVEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 21, 2007