Jack Cagg Wilson Title Associates, LLC
3931-A Gallatin Pike, Nashville, TN 37216
File # 454

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $154,000.00.

Affiant

Sworn to and subscribed before me, the undersigned, a Notary Public this 23rd day of August, 2007.

Notary Public

My Commission Expires: 1-20-09

TONJA BARRON
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY

Sidwell & Barrett, P.C.
121 First Avenue South
Suite 200
Franklin, TN 37064

Davidson County DEEDWARR
Recvd: 09/12/07 13:19 2 pgs
Fees:13.00 Taxes:569.80
20070912-0109456

ADDRESS NEW OWNER(S) AS FOLLOWS:
Miriam Sue Gerber and husband, Thomas Smythe
1309 CALVIN AVENUE
NASHVILLE, TN 37206
Nashville, Tennessee 37206

SEND TAX BILLS TO:
4m Trust Bank
1111 Chester Avenue
Cleveland, OH 44114

MAP-PARCEL NUMBERS:

083-04-0-265.00

For and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid by the Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, Chris Wagner and wife, Lyla Wagner hereinafter referred to as Grantors, hereby transfers and conveys to Miriam Sue Gerber and husband, Thomas Smythe, hereinafter referred to as Grantees, their heirs and assigns a certain tract or parcel of land in Davidson County, State of Tennessee described as follows, TO WIT:

BEING Lot No. 11-A on the Plan of Rosebank Park Resubdivision of Lots 11 and 12 of record in Book 3842, Page 32, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate description of said lot.

Being the same property conveyed to Chris Wagner and wife, Lyla Wagner by Warranty deed from Elwyn A. Weaver and wife, Barbara T. Weaver and Vickie Marlene Keefer, now Hight, and husband, Clarence I. Hight of record in Instrument No. 20050302-0023093, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

Subject to all matters as set forth per Plat Book 3842, Page 32, Register's Office of said County.

Easement for Sanitary Sewer of record in Deed Book 3460, Page 274, Register's Office for said County.

Agreement for Dedication for License for Use & Maintenance of Driveway Encroachment of record in Deed Book 9504, Page 324, Register's Office for said County.

Restrictive Covenants of record in Deed Book 2041, Page 35, Register's Office of said County.

This conveyance is subject to all easements, restrictive covenants and conditions, and other matters of record, including all items set out on any applicable plat of record.

County and/or City taxes for the year 2007, a lien not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with the GRANTORS paying their prorata share thereof to GRANTEES who will be responsible for payment of said taxes.

This is improved property known as 1205 Preston Drive, Nashville, TN 37206.

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 I do covenant with the said **GRANTEES** that I am lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and I do further covenant and bind myself, my 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. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my hand this 17th day of August, 2007.

Chris Wagner

Lyla Wagner

STATE OF CALIFORNIA
COUNTY OF Los Angeles

Personally appeared before me, the undersigned Notary Public in and for the State and County aforesaid, Chris Wagner and Lyla Wagner, with whom I am personally acquainted, and who acknowledged the execution of the within instrument for the purpose therein contained.

Witness my hand and official seal this 17th day of August, 2007.

Notary Public

My Commission Expires: Nov. 7, 2008

KRYSTI D. AGOSTA
Commission # 1525198
Notary Public - California
Los Angeles County
My Comm. Expires Nov 7, 2008

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