THIS INSTRUMENT PREPARED BY:

MITCHELL A. WATTS, ATTORNEY
2400 Crestmoor Road Suite 102
Nashville, Tennessee 37215

Davidson County DEEDWARR
Recvd: 10/25/07 14:26 2 pgs
Fees:13.00 Taxes:1591.00

20071025-0126340

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $***430,000.00.

Affiant

Subscribed and sworn to before me this 22 day of October 2007.

Notary Public

My Commission Expires: 9-30-09

MITCHELL A. WATTS STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY

ADDRESS OF NEW OWNER	SEND TAX BILLS TO	MAP & PARCEL NOS.
Charles Gardner 328 Harpeth Ridge Drive Nashville, Tennessee 37221	American Partners Bank 11595 N. Meridian Street Suite 250 Carmel, Indiana 46032	MAP 143-06-0 A PARCEL 008.00 CO

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Four Hundred Thirty Thousand and 00/100 Dollars ($***430,000.00) and other good and valuable consideration, the receipt and legal sufficiency of all of which is hereby acknowledged, I, Barbara Ellen Kilgore, unmarried, (hereinafter called the "GRANTOR"), have bargained and sold, and by these presents do transfer and convey unto Charles Gardner and wife, Kimberly Gardner (hereinafter called the "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. 8 on the Plan of Harpeth Trace Estates, Phase One, of record in Plat Book 5200, Page 125 in the Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and particular description of the property.

BEING the same property conveyed to Barbara Ellen Kilgore from R. Kenneth Moore and wife, Deborah K. Moore by deed dated September 18, 1997, of record in Book 10615, Page 423, in the Register's Office for Davidson County, Tennessee.

This is improved property known as 328 Harpeth Ridge Drive, Nashville, Tennessee 37221.

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.

GRANTOR COVENANTS with the said GRANTEES that she is lawfully seized and possessed of said land in fee simple, and has a good right to convey it and the same is unencumbered, except as follows:

1. Matters, if any, shown on the Plan of Harpeth Trace Estates, Phase One, of record in Book 5200, Page 125, in the Register's Office for Davidson County, Tennessee.

2. Terms, provisions, covenants, conditions, restrictions, easements and liens provided in the Covenants, Conditions and Restrictions of Harpeth Trace Estates of record in Book 5120, pages 208 and 919, Book 5182, page 767, Book 5178, page 138, Book 5182, page 769 and Book 5380, page 357, Register's Office for Davidson County, Tennessee, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin, unless and only to the extent that the covenant, condition, or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons.

3. Charter of record in Book 5120, page 199, amended in Book 6556, page 693, Register's Office for Davidson County, Tennessee.

4. Easement of record in Book 5597, page 186, Register's Office for Davidson County, Tennessee.

5. Agreement of record in Book 5102, page 956, Register's Office for Davidson County, Tennessee.

6. Rights of others in and to the common areas and/or elements.

GRANTOR FURTHER COVENANTS and binds herself and her heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, and their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF I have hereunto set my hand on this the 22 day of October 2007.

Barbara Ellen Kilgore

By: _____
Keith Merrill, Attorney in Fact

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Keith Merrill, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged that he is the attorney in fact for Barbara Ellen Kilgore and who further acknowledged that he executed the foregoing instrument for the purposes therein contained by signing his name as the attorney in fact as the free act and deed of the said Barbara Ellen Kilgore.

WITNESS my hand and seal this 22 day of October, 2007.

_____
Notary Public

My Commission Expires: 4-30-08

MITCHELL A. WATERS
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY