PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

Woodmont Centre, Suite 100
104 Woodmont Blvd.
Nashville, TN 37205
Ph. (615) 298-3312 - Fax. 292-8746
E-mail: *main@wilkinsandivey.com*

BOX 50-B RETURN TO
PREPARED BY:
BANKERS TITLE & ESCROW CORP.
3310 WEST END AVE.
NASHVILLE, TN 37203

W & I Ref: Title No: 49028

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Mark E. Howard 2000 OTTER Creek Nashville, TN 37215	OWNER

TAX MAP-PARCEL NUMBERS: 14412000400

Davidson County DEEDWARR
Recvd: 11/13/07 13:16 3 pgs
Fees:18.00 Taxes:1313.50
20071113-0132984

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$355,000.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Roger L. Proctor Jr. and spouse, Marjorie H. Proctor**, hereinafter called the **Grantor**, have bargained and sold, and by these presents do hereby transfer and convey unto **Mark E. Howard** 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 Lot No. 2 on the Plan of Otter Creek Estates, Section 1 of record in Book 2331, page 157, Register's Office for said County.

Said Lot No. 2 fronts 168.4 feet on the broken northwesterly margin of Otter Creek Road and extends back 598.9 feet on the northwesterly line and 501.2 feet on the southeasterly line to a dead line in the rear, measuring 240.0 feet thereon.

Being the same property conveyed to Roger L. Proctor, Jr., and wife, Marjorie H. Proctor by deed from George C. DeZevallos and wife, Anne J. DeZevallos of record in Book 5362, page 330, dated and executed on November 9, 1978 and recorded on November 10, 1978 in the 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 2008, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 2331 Page 157, said Register's Office, which Plan shows a 175 foot minimum building setback line from Otter Creek Road and a 10 foot easement for public utility purposes along the rear line(s) of said lot.

This instrument is executed on behalf of Roger L. Proctor Jr. by Marjorie H. Proctor pursuant to a Power of Attorney executed by him on the 6th day of November, 2007 of record in Instrument No. 20071113 - 0132983, 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: 2000 Otter Creek Road, Nashville, Tennessee 37215

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 9th day of November, 2007.

Roger L. Proctor by Marjorie H. Proctor Atty-in-Fact

Roger L. Proctor Jr. By: Marjorie H. Proctor, Atty-in-Fact

Marjorie H. Proctor

Marjorie H. Proctor

State of TENNESSEE
County of DAVIDSON

On this 9th day of November, 2007, before me the undersigned authority, personally appeared **Marjorie H. Proctor**, 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.

CHRISTY W IVEY NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: My Commission Expires May 2, 2011

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: $355,000.00.

Affiant

Sworn and subscribed before me this 9th day of November, 2007.

JAMES A LANCASTER NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

Notary Public

My Commission Expires: 1-26-08

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, **Marjorie H. Proctor** 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 **Roger L. Proctor Jr.**, as Attorney-in-Fact, as the free act and deed of the said Principal.

Witness my hand and official seal at Nashville, Tennessee, this 9th day of November, 2007.



My Commission Expires: My Commissior Expires May 2, 2011

Notary Public

EXHIBIT "A"

To
Warranty Deed

FROM: Roger L. Proctor Jr. and spouse, Marjorie H. Proctor

TO: Mark E. Howard

State of TENNESSEE
County of DAVIDSON

A F F I D A V I T

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.

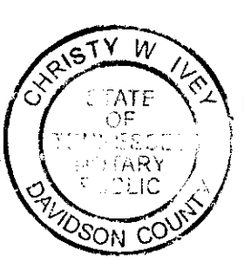
Further the Affiant Saith not.

Marjorie H. Proctor, Affiant

Sworn to and subscribed before me this

9th day of November, 2007.

Notary Public



My Commission Expires: My Commissior Expires May 2, 2011