Davidson County DEEDWARR
Recvd: 11/20/07 12:02 3 pgs
Fees:18.00 Taxes:980.50
20071120-0135908

Prepared by:

Steltemeier and Westbrook, PLLC
3326 Aspen Grove Drive, Suite 604
Franklin, Tennessee 37067

STATE OF TENNESSEE
COUNTY OF Davidson

The actual consideration or value, whichever is greater, for this transfer is $265,000.00 .

Affiant

Subscribed and sworn to before me this 19th day of November, 2007.

Notary Public
My Commission Expires 04/22/09

TERRY N WESTBROOK NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

07-1388

Address of New Owner:	Send Tax Bills to:	Tax Information:
Energy Smart Homes, LLC	Energy Smart Homes, LLC	128
0 Hicks Road	1209 Saxon Drive	38.00
Nashville, TN 37221	Nashville, TN 37215	

WARRANTY DEED

For and in consideration of the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEES, and other good and valuable considerations, the receipt of which is hereby acknowledged, we **Garth Fort Fails and Louise Clark Merritt and Elijah F. Merritt and G. Stroud Merritt, III and Terence N. Fails, Jr. and Kendall Hooker Hinote and Dara Wimbley Hooker and Ellen Livingfield More and Dudley Clark Fort, Jr. and Arthur G. Fort, II and Macrae Linton and Cornelia Fort Linton and Leontine LaPointe and Julia Warfield Fort Lowe and Chloe Fort Lenderman and Garth Frierson Fort and Christopher Lawrence Fort**, hereinafter called the GRANTORS, have bargained and sold, and by these presents do transfer and convey unto **Energy Smart Homes, LLC**, hereinafter called the GRANTEES, their heirs and assigns, the following tract or parcel of land, to-wit:

Land in the 9th Civil District of Davidson County, Tennessee, described according to a survey made by Alley and Brown, Engineers, November 27, 1968, as follows:

Beginning a concrete monument in the right-of-way of Hicks Road, said point being the southwest corner of the Hannie Maie Smith property of record in Book 2270, page 169, Register's Office for said County; thence running with a curve to the left having a radius of 597.97 feet, 19.80 feet to an iron pin; thence North 3 degrees 10 minutes East 167.60 feet to an iron pin; thence North 83 degrees 50 minutes West 132.00 feet to an iron pin; thence South 3 degrees 10 minutes West 169.40 feet to an iron pin; thence with the right-of-way of Hicks Road, along a curve to the right having a radius of 611.63 feet, 535.34 feet to a point; thence continuing along said right-of-way North 34 degrees 50 minutes West 589.80 feet to a point; thence continuing along said right-of-way with a curve to the left having a radius of 979.95 feet, 232.64 feet to a point; thence North 41 degrees 34 minutes East 20.00 feet to a point; thence with a curve to the left having a radius of 999.95 feet, 85.45 feet to a point; thence North 53 degrees 20 minutes West 63.90 feet to a point; thence with a curve to the right having a radius of 591.63 feet, 50.65 feet to a point; thence South 41 degrees 35 minutes West 5.00 feet to a point; thence with a curve to the right having a radius of 596.63 feet, 93.72 feet to a point; thence North 28 degrees 41 minutes West 115.00 feet to a concrete monument; thence North 15 degrees 13 minutes East

577.08 feet to a concrete monument; thence along an existing fence line, South 63 degrees 03 minutes East 364.04 feet to an iron pin; thence continuing along said existing fence line, North 89 degrees 38 minutes East 264.02 feet to a concrete monument and corner post; thence continuing along an existing fence line, South 3 degrees 10 minutes West 1,544.04 feet to the point of beginnning, and containing 36.256 acres, more or less.

Being all the same property conveyed to Garth Fort Fails, Louise Clark Merritt, Elijah F. Merritt, G. Stroud Merritt, III, Terence N. Fails, Jr., Kendall Hooker Hinote, John Blount Hooker, Dara Wimbley Hooker and Ellen Livingfield More by deed from SunTrust Bank, Nashville, N.A., successor by change of name to Third National Bank, Trustee under the Will of Rufus E. Fort for Rufus E. Fort, Jr. Trust B, dated August 24, 1998, of record in Book 11087, Page 280, said Register's Office and being all the same property conveyed to Dudley Clark Fort, Jr., Arthur G. Fort, II, Macrae Linton, Cornelia Fort Linton, Leontine LaPointe, Julia Warfield Fort Lowe, Chloe Fort Lenderman, Garth Frierson Fort and Christopher Lawrence Fort by deed from SunTrust Bank, Nashville, N.A. successor by change of name to Third National Bank, Trustee under the Will of Rufus E. Fort for Rufus E. Fort, Jr. Trust B, dated June 18, 2002, recorded in Instrument No. 20020620-0074843, said Register's Office. Subsequently John Blount Hooker having conveyed his interest to Arthur G. Fort, II by deed dated January 22, 2004, of record in Instrument No. 20040123-000940, said Register's Office.

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

This is unimproved property located at **0 Hicks Road, Nashville, TN 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; and we do covenant with the said GRANTEES that we are 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 we do further covenant and bind ourselves, our 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 our hands this 19th day of November, 2007.

Garth Fort Fails, by Loy Hardcastle, Attorney in Fact

Louise Clark Merritt, by Loy Hardcastle, Attorney in Fact

Elijah F. Merritt, by Loy Hardcastle, Attorney in Fact

G. Stroud Merritt, III, by Loy Hardcastle, Attorney in Fact

Terence N. Fails, Jr., by Loy Hardcastle, Attorney in Fact

Kendall Hooker Hinote, by Loy Hardcastle, Attorney in Fact

Dara Wimbley Hooker, by Loy Hardcastle, Attorney in Fact

Ellen Livingfield More, by Loy Hardcastle, Attorney in Fact

Dudley Clark Fort, Jr., by Loy Hardcastle, Attorney in Fact

Arthur G. Fort, II, by Loy Hardcastle, Attorney in Fact

Macrae Linton, by Loy Hardcastle, Attorney in Fact

Cornelia Fort Linton, by Loy Hardcastle, Attorney in Fact

Leontine LaPointe, by Loy Hardcastle, Attorney in Fact

Julia Warfield Fort Lowe, by Loy Hardcastle, Attorney in Fact

Chloe Fort Lenderman, by Loy Hardcastle, Attorney in Fact

Garth Frierson Fort, by Loy Hardcastle, Attorney in Fact

Christopher Lawrence Fort, by Loy Hardcastle, Attorney in Fact

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a notary public, in and for said county and state, the within named **Loy Hardcastle**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the attorney in fact for **Garth Fort Fails and Louise Clark Merritt and Elijah F. Merritt and G. Stroud Merritt, III and Terence N. Fails, Jr. and Kendall Hooker Hinote and Dara Wimbley Hooker and Ellen Livingfield More and Dudley Clark Fort, Jr. and Arthur G. Fort, II and Macrae Linton and Cornelia Fort Linton and Leontine LaPointe and Julia Warfield Fort Lowe and Chloe Fort Lenderman and Garth Frierson Fort and Christopher Lawrence Fort** and that he is authorized by them to execute this instrument on their behalf.

Witness my hand and seal at Franklin, Tennessee, this 19th day of November, 2007.

Notary Public at Large

NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY TN

My Commission Expires: 04/22/09