39B

THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **FTEC File No. 27379-01-2008** **Record & Return To:** **Centennial Title Company, Inc.** **30 Burton Hills Blvd., Suite 240** **Nashville, TN 37215**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $221,500.00. Affiant Subscribed and sworn to before me this 12th day of February, 2008. Notary Public My Commission Expires:

GEORGE E. MUDTER JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2009

WARRANTY DEED

Address New Owner: Hylan H. Cook 601 Old Hickory Blvd., #22 Brentwood, TN 37027	**Send Tax Bills To:** **Bank of America** **900 W. Trade Street** **Charlotte, NC 28255-0001**	**Tax Information:** Map and Parcel No.: 171-03-0-B

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Kevin Lee Whitehurst, Married**, ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Hylan H. Cook, Unmarried**("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

Seana Marie Whitehurst, wife of **Kevin Lee Whitehurst**, hereby joins in the execution of this instrument to convey any and all marital interest she may have in subject property.

This is improved property located at 601 Old Hickory Blvd., #22, Brentwood, TN 37027

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its successors, heirs and assigns, forever.

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on the 12th day of February, 2008.

Kevin Lee Whitehurst

Seana Marie Whitehurst

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Kevin Lee Whitehurst and Seana Marie Whitehurst**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 12th day of February, 2008.

Notary Public

My Commission Expires: 7-19-08

GEORGE E. MUDTER JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JULY 19, 2009

Davidson County DEEDWARR
Recvd: 02/19/08 14:33 2 pgs
Fees:13.00 Taxes:819.55

20080219-0016103

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 22 on the Plan of Phase Two, Section Six, Townhomes of Fredericksburg, as of record in Plat Book 9700, pages 953 and 954, Register's Office for Davidson County, Tennessee to which plan reference is made for a more complete description.

Being the same property conveyed to Kevin Lee Whitehurst by Warranty Deed dated June 12, 2003 from Susan A. Taylor-Chapman and Brad Chapman of record in Instrument No. 20030624-0086659, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2008 City/County Taxes which have been prorated by the parties and assumed by the Grantee.
2. Restrictive covenants contained in an instrument of record in Book 7798, page 843, Register's Office for Davidson, County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions 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. Declaration of Covenants, Conditions and Restrictions for Fredericksburg Homeowners Association, Inc. of record in Book 8920, page 65, amended in Book 9500, page 393, Book 9860, page 840 and Book 10694, page 541, Register's Office for Davidson County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions 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).
4. Declaration of Covenants, Conditions and Restrictions for Townhomes of Fredericksburg, Inc. of record in Book 10126, page 435, amended in Book 10224, page 683, Book 10294, page 850 and Instrument No. 20000718-0070558, re-recorded in Instrument No. 20050705-0076595, made applicable in Book 11550, page 531 and Book 11682, page 75, Register's Office for Davidson County, Tennessee, (omitting therefrom any covenants, conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenants, conditions 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).
5. By-Laws of Fredericksburg Homeowners Association, of record in Book 8920, page 45 and amended in Book 10694, page 539, Register's Office for Davidson County, Tennessee.
6. By-Laws of Townhomes of Fredericksburg Homeowners Association, of record in Book 10126, page 486, amended in Book 10275, page 959 and Book 11550, page 554, Register's Office for Davidson County, Tennessee.
7. Dedication of common area to Fredericksburg Homeowner's Association, Inc. of record in Book 11753, page 208, Register's Office for Davidson County, Tennessee.
8. Charter of Incorporation of Fredericksburg Homeowners Association, Inc. of record in Book 8920, page 40, Register's Office for Davidson County, Tennessee.
9. Charter of Incorporation of Townhomes of Fredericksburg Homeowner's Association, Inc. of record in Book 10126, page 430, and Book 11550, page 529, Register's Office for Davidson County, Tennessee.
10. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 7358, page 643, Book 7993, page 269, Book 9607, page 431 and Book 10012, page 756, Register's Office for Davidson County, Tennessee.
11. All matters appearing on the Plan of record as Book 9700, page 953 and 954, Register's Office for Davidson County, Tennessee.
12. All matters appearing on the Plan of record as Book 7900, page 807, Register's Office for Davidson County, Tennessee.
13. Easement to State of Tennessee of record in Book 7851, page 712, Register's Office for Davidson County, Tennessee.
14. Easement for cable television and maintenance of record in Instrument No. 20000516-0049387, Register's Office for Davidson County, Tennessee.
15. Storm water detention agreement of record in Book 10357, page 920, Register's Office for Davidson County, Tennessee.