(3)

Box 36

PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law

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W & I Ref: Title No: 49199

Dav. Co. File: Box 8

Davidson County DEEDWARR
Recvd: 03/03/08 14:07 3 pgs
Fees:18.00 Taxes:1646.13
20080303-0020987

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Patricia Estes 2813 Westmoreland Drive Nashville, Tennessee 37212	First American Tax Service 8435 Stemmons Freeway Dallas, TX 75247-3907

TAX MAP-PARCEL NUMBERS: 10414008800

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$444,900.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Mark Edward Fitzpatrick and spouse, Kathryn Anne Fort Fitzpatrick,** hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Patricia Estes, an unmarried woman** 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. 36 on the Plan of Bransford Realty Company's Subdivision of Westmoreland Place of record in Book 421, page 16 Register's Office for said County to which Plan reference is hereby made for a more complete description.

Being the same property conveyed to Mark Edward Fitzpatrick and spouse, Kathryn Anne Fort Fitzpatrick by deed from Ronald W., Routson and spouse, Rebecca Viets dated Aug. 24, 2005 and recorded on Sept. 1, 2005 of record in Doc. No. 20050901-0105087 Register's Office for Davidson County, Tennessee.

Description Reference: Described according to (or by reference to) the recorded subdivision Plan.

This conveyance is subject to: Taxes for 2008, and subsequent years; All Matters shown on the Plan, with Owner's Certificate, of record in Book 421 Page 16, said Register's Office, which Plan shows a minimum building setback line and easement . Restrictive Covenant for Detached Structure to the Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Doc. No. 20000516-0049273.

This instrument is executed on behalf of Mark Fitzpatrick by Steven Myers pursuant to a Power of Attorney executed by him on the 21st day of February, 2008, of record in Instrument No. 20080303002098S 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 instrument is executed on behalf of Kathryn Anne Fort Fitzpatrick by Steven Myers pursuant to a Power of Attorney executed by her on the 21st day of February, 2008 of record in Instrument No. 20080303002098G , 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: 2813 Westmoreland Drive, Nashville, Tennessee 37212

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 28th day of February, 2008 .

Mark Edward Fitzpatrick by Steven Myers Atty-in-fact
Mark Edward Fitzpatrick By:Steven Myers, Atty-in-Fact

Kathryn Anne Fort Fitzpatrick by Steven Myers Atty-in-fact
Kathryn Anne Fort Fitzpatrick By:Steven Myers, Atty-in-Fact

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: $444,900.00

Affiant

Sworn and subscribed before me this 28th day of February, 2008

Notary Public

My Commission Expires: Sept. 26, 2010

APRIL ISAAC
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON

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 , **Steven Myers** 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 **Mark Edward Fitzpatrick and spouse, Kathryn Anne Fort Fitzpatrick** , as Attorney-in-Fact, as the free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this 28th day of February, 2008

Notary Public

My Commission Expires:

CHRISTY W IVEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires May 2, 2011

EXHIBIT "A"
To
Warranty Deed

FROM: Mark Edward Fitzpatrick and spouse, Kathryn Anne Fort Fitzpatrick

TO: Patricia Estes

State of Tennessee
County of Davidson

AFFIDAVIT

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(s) 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.

Steven Myers, Affiant

Sworn to and subscribed before me this 28th day of February, 2008

Notary Public

My Commission Expires:

CHRISTY W IVEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires May 2, 2011