Davidson County DEEDWARR
Recvd: 05/09/08 10:48 3 pg:
Fees:18.00 Taxes:1776.00
20080509-0048182

This Instrument Was Prepared By:
John M. Brittingham
Harwell Howard Hyne Gabbert & Manner, P.C.
315 Deaderick Street, Suite 1800
Nashville, Tennessee 37238-1800

Address New Owner:

Cook Builders, LLC
3913 Wayland Drive
Nashville, TN 37215

Send Tax Bills To:

Same

Map-Parcel Numbers:

ID No.131-11-0-114.00

EXECUTOR'S DEED

FOR AND IN CONSIDERATION of Ten and No/100 ($10.00) Dollars and other good and valuable consideration, the receipt of all of which is hereby acknowledged, I, **CRAIG V. GABBERT, JR., EXECUTOR OF THE ESTATE OF HAUTENSE WALTON**, the Grantor herein, exercising the full power and authority vested in him as such Executor, has bargained and by these presents does hereby sell, transfer and convey unto **COOK BUILDERS, LLC,** a Tennessee limited liability company, the Grantee herein, its successors, representatives and assigns, in and to the following described tract or parcel of land situate and lying in the Eleventh Civil District of Davidson County, Tennessee, and same being more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 17 of Block "S" on the Plan of Tyne Meade, Section 4, as of record in Book 1424, page 25, Register's Office for said County. SAID Lot No. 17 fronts 202.76 feet on the southerly side of Wayland Drive and runs back 211.3 feet on the easterly line and 212 feet on the westerly line to the northerly line of Lot No. 15, measuring 202.45 feet thereon.
>
> Being the same property conveyed to John W. Walton Jr. and wife Hautense Walton by deed dated March 31, 1986, of record in Book 6817, page 246, in the Register's Office of Davidson County, Tennessee. The said John W. Walton died on February 20, 1988. The said Hautense Walton being the surviving tenant by the entireties. Hautense Walton died on January 31, 2008 as evidenced in Docket No. 08P-292 in the Seventh Circuit Court, Probate Division, for Davidson County, Tennessee. The Last Will and Testament of Hautense Walton provides that her real property be administered as part of her probate estate and that the Executor have power to sell the real property without the joinder of any heir.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, hereditaments, estate, title and interest thereto belonging to the said Grantee, its successors, representatives and assigns, forever.

AND GRANTOR, in his capacity as such Executor but not individually or otherwise, does covenant that he has full power and lawful authority to sell and convey said land; that title thereto is free, clear and unencumbered except as shown in Exhibit "A"; and, that he will warrant and forever defend the title to the said land to the said Grantee, its successors, representatives and assigns, against the lawful claims of all persons claiming by, through, or under Grantor, but not further or otherwise, and subject, however, to the Permitted Exceptions listed on Exhibit "A".

By signing this deed, Grantor releases any right he may have as said Executor to recover the property conveyed hereby in the event of the subsequent insolvency of said estate.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand on this the 8th day of May, 2008.

ESTATE OF HAUTENSE WALTON

By: _____
Craig V. Gabbert, Jr., Executor

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Elizabeth Puckett, a Notary Public of said county, Craig V. Gabbert, Jr., Executor of the Estate of Hautense Walton, the within named bargainor, with whom I am personally acquainted, (or who was proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 8th day of May, 2008.

Elizabeth Puckett
NOTARY PUBLIC

ELIZABETH PUCKETT STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires:
8-23-11

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration given for this conveyance or value of the property, whichever is greater, is $480,000.00.

Denise S. Knowles
Grantee or Grantee's Agent

Sworn to and subscribed before me:

Dorothy S. Potts
Notary Public

DOROTHY S. POTTS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires: _____

My Commission Expires AUG. 23, 2011

398663-1

EXHIBIT "A"

1. Taxes for the year 2008 and subsequent years, not due and payable.

2. All matters as shown on plat of record in Plat Book 1424, page 25, Register's Office for Davidson County, Tennessee.

