**THIS INSTRUMENT PREPARED BY:**
Glenn S. Macbeth, Attorney
Gateway Title Services, LLC
Suite 102 Stone Gate Corporate Center
1639 Medical Center Parkway
Murfreesboro, TN 37129

**NAME AND ADDRESS OF NEW OWNERS:**
Nader Kadivar
5220 Nolensville Pike
Nashville, TN 37211
**SEND TAX BILLS TO:**
Same

---

# WARRANTY DEED

(Map 161-08-O-59.00)

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS, cash in hand paid and other good and valuable consideration, the receipt of all of which is hereby acknowledged, I, the undersigned, **MARY R. SWAIN, unmarried**, hereinafter referred to as "Grantor", have bargained and sold and do hereby transfer and convey unto **NADER KADIVAR**, hereinafter referred to as "Grantee", his heirs and assigns forever, that certain property located and situated in Davidson County, Tennessee, and more particularly described as follows:

> LAND located in Davidson County, Tennessee, being all of Lot No. 87, on the Plan of Southwood, according to plat and survey of same appearing of record in Book 2663, pages 125 and 126, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details as to location and description of said lot. Said Lot No. 87 fronts 80 feet on the south side of Brewer Drive and runs back 202.78 feet on the west line and 216.91 feet on the east line, to a dead line in the rear, on which it measures 111.17 feet.
>
> BEING the same property conveyed to Howard Swain and wife, Mary R. Swain, by Warranty Deed from Hillview Company, dated June 14, 1960, of record in Book 3075, page 633, in the Register's Office of Davidson County, Tennessee. The said Howard Swain died on October 3, 1999, leaving the said Mary R. Swain the owner in fee simple as surviving tenant by the entirety. Mary R. Swain and Mary W. Swain being one and the same person.
>
> THIS CONVEYANCE IS MADE SUBJECT TO minimum building setback lines, public utility and drainage easements, and all other matters as shown on subdivision plat of record in Book 2663, pages 125 and 126; to restrictive covenants of record in Book 2904, page 51; all in the Register's Office for Davidson County, Tennessee; and to all zoning and subdivision regulations of the appropriate governmental body, together with any easements or right-of-ways for public roads and utilities.

This is improved property known as 379 Brewer Drive, Nashville, TN 37211.

TO HAVE AND TO HOLD the said real estate, together with all appurtenances, estate, title and interest belonging to the said Grantee, his heirs and assigns, forever.

Grantor covenants with the said Grantee that Grantor 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 noted herein, and for the 2008 real property taxes which will be prorated at closing and paid by the Grantor.

Davidson County DEEDWARR
Recvd: 12/05/08 14:56 3 pgs
Fees:18.00 Taxes:462.50
20081205-0118081

Grantor further covenants and binds Grantor, her heirs and representatives, to warrant and forever defend the title to said real estate unto the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS MY HAND and signature on this the 3rd day of December, 2008.

Mary R. Swain
MARY R. SWAIN

aka Mary W. Swain
aka MARY W. SWAIN

By: Patsy Carolyn Coltharp, Atty.-in-Fact
Patsy Carolyn Coltharp, Attorney-in-Fact

STATE OF TENNESSEE )
COUNTY OF RUTHERFORD )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Patsy Carolyn Coltharp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument on behalf of Mary W. Swain (aka Mary R. Swain), and acknowledged that she executed the same as the free act and deed of the said Mary W. Swain for the purposes therein contained, by virtue of a Power of Attorney recorded in Instrument No. 20081205-0118080, in the Register's Office of Davidson County, Tennessee.

Witness my hand and official seal, this the 3rd day of December, 2008.

Notary Public

GLENN S. MACBETH STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF RUTHERFORD

My Commission Expires: **SEPTEMBER 7, 2010**

(SEAL)

AFFIDAVIT

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

I hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, ~~whichever~~ **is greater, is $125,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.**

Affiant

Subscribed and sworn to before me this 3rd day of December, 2008.

Notary Public

GLENN S. MACBETH STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF RUTHERFORD

My commission expires: **SEPTEMBER 7, 2010**

STATE OF TENNESSEE )
COUNTY OF RUTHERFORD )

AFFIDAVIT

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited was executed by the undersigned as attorney-in-fact for the principal thereon shown.

2. That the execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. 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 of by the principal's death, disability or incapacity.

Further Affiant sayeth not.

Patsy Carolyn Cothran
Affiant

Subscribed and sworn to before me this 3 day of Dec, 2008.

Notary Public

My Commission Expires: SEPTEMBER 7, 2010




File No. 20080516