PREPARED BY ~~(AND RETURN TO)~~:


*WILKINS & IVEY*

*Attorneys at Law*

104 Woodmont Blvd., Suite 100

*Nashville, Tennessee 37205*

*Phone (615) 298-3312 - Fax 292-8746*



BILL GARRETT, Davidson County
Trans:T20090061837 DEEDWARR
Recvd: 09/09/09 12:33 3 pgs
Fees:18.00 Taxes:2553.00
20090909-0084442



Christy Wilkins Ivey

*Percy Wilkins, Jr. (retired)*


W & I Ref: DM Title No: 50108

Dav. Co. File: Box 8

| **ADDRESS NEW OWNER:** | **RESPONSIBLE FOR TAX PAYMENT:** |
|---|---|
| Carolyn K. Gray<br>3515 Hampton Ave.<br>Nashville, Tennessee 37215 | Bank of America<br>9000 Southside Blvd. Bldg 700<br>Jacksonville, FL 32256 |

**TAX MAP-PARCEL NUMBERS:** 11705009600.

# *WARRANTY DEED*

**FOR AND IN CONSIDERATION** of the sum of **$690,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Lucinda T. Trabue, an undivided forty percent (40%) and Mary Dale Fitzgerald, an undivided twenty (20%) and David Fitzgerald, an undivided twenty (20%) and Katherine F. Murphy, an undivided twenty (20%)**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Carolyn K. Gray** 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, described as follows:

Lots Nos. 4 and 7 on the unrecorded Map of a 7.34 acre tract of The Fourth & First National Bank and described according to a copy of a survey thereof made July, 1929 and revised on July 27, 1932 by Z. Southgate, as follows:

Beginning at a point in the south margin of Hampton Avenue at the corner of Lots 3 and 4; thence with the line between said lots and along the line between lots 7 & 8, southerly 309.6 feet to a point; thence easterly 100 feet to a corner of Lot No. 6; thence with the line between Lots 6 & 7 and with the line between Lots 4 and 5, northerly 318.2 feet to the south margin of Hampton Avenue; thence with margin of the same, westerly 100 feet to the point of beginning.

Being the same property conveyed to William D. Trabue, III and wife Lillian Dale Trabue by warranty deed from Chiles Van Antwerp and wife, Lucille P. Van Antwerp, dated Jan. 2, 1959 and recorded on Jan. 6, 1959 of record in Book 2861, page 130, Register's Office for Davidson County, Tennessee. The said William D. Trabue, III and Lillian Dale Trabue have both since died, with William D. Trabue, III predeceasing Lillian Dale Trabue. The Last Will and Testament of Lillian D. Trabue of record in Docket No. 08P-529 in the Seventh Circuit Court for Davidson County, Tennessee, Probate Division, appointed Linda R. Koon as Executor. By Executor Deed of record in Doc. No. 20090130-0008138, said Register's Office, Subject property was conveyed to Lucinda T. Trabue, an undivided forty percent (40%), Mary Dale Fitzgerald, an undivided twenty percent (20%), David Fitzgerald, an undivided twenty percent (20%), and Katherine F. Murphy, an undivided twenty percent (20%).

**Description Reference:** The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2009, and subsequent years.

This instrument is executed on behalf of Lucinda T. Trabue by David Fitzgerald pursuant to a Power of Attorney executed by her on the 2 day of July, 2009, of record in Instrument No. 20090909-0084439 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 Katherine F. Murphy by David Fitzgerald pursuant to a Power of Attorney executed by her on the 8 day of July, 2009, of record in Instrument No. 20090909-0084440 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 Mary Dale Fitzgerald by David Fitzgerald pursuant to a Power of Attorney executed by her on the 14 day of July, 2009, of record in Instrument No. 20090909-0084441 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: 3515 Hampton Avenue, Nashville, Tennessee 37215**

**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 21st day of July, 2009 .

Lucinda T Trabue by Dil Fitzgerald, AIF
**Lucinda T. Trabue by David Fitzgerald, Atty-In-Fact**

Mary Dale Fitzgerald by Dil Fitzgerald, AIF
Mary Dale Fitzgerald by David Fitzgerald, Atty-In-Fact

Katherine F Murphy by Dil Fitzgerald, AIF
**Katherine F. Murphy by David Fitzgerald, Atty-In-Fact**

Dil Fitzgerald
David Fitzgerald

**State of** TENNESSEE
**County of** DAVIDSON

On this 21st day of July, 2009, before me the undersigned authority, personally appeared **David Fitzgerald**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

CHRISTY W. FREY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: **My Commission Expires May 2, 2011**

Notary

**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: $690,000.00

Lura Brady
Affiant

Sworn and subscribed before me this 21st day of July, 2009

KEVIN G. BIPPEN STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF DAVIDSON

Notary Public

My Commission Expires: **EXP 03/04/2013**

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 , **David Fitzgerald** 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 **Lucinda T. Trabue and Katherine F. Murphy and Mary Dale Fitzgerald** , 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 21st day of July, 2009

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: Lucinda T. Trabue and Mary Dale Fitzgerald and David Fitzgerald and Katherine F. Murphy**

**TO: Carolyn K. Gray**

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.

David Fitzgerald, Affiant

Sworn to and subscribed before me this 21st day of July, 2009

Notary Public

My Commission Expires:

CHRISTY W. IVEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

**My Commission Expires May 2, 2011**

Return To:

Prepared By:
Jason A. Kron
Jason Kron
Heritage Title Services, LLC
1717 Alliant Avenue, Suite 5
Louisville, KY 40299