Send Tax Statements To
New Owner

BILL GARRETT, Davidson County
Trans:T20090067745 DEEDWARR
Recvd: 10/05/09 12:04 3 pgs
Fees:18.00 Taxes:547.56
20091005-0092356

This Instrument Prepared By:
JOHN G. MITCHELL, III
Attorney at Law
279 Robert Rose Drive, Suite B
Murfreesboro, TN 37129

Name and Address of New Owner:
Mark J. Schermerhorn
809 Birchmill Point N
Antioch, TN 37013

From Information Furnished By
The Parties

Map and Parcel:
175-06-0A-75.00CO

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

WARRANTY DEED

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, the undersigned, **OLE SOUTH PROPERTIES, INC., a Tennessee Corporation,** has this day bargained and sold and does hereby transfer and convey unto **MARK J. SCHERMERHORN, an unmarried man,** his heirs and assigns, forever, that certain parcel of real estate located in Davidson County, State of Tennessee, within the corporate limits of the City of Antioch, and being described as follows, to-wit:

BEING all of Lot No. 129 (One Hundred Twenty Nine) on the plan of Final Plat, Phase I, The Preserve at Old Hickory, "Cluster Lot Subdivision", A Planned Unit Development, according to plat and survey appearing of record in Instrument Number 20060824-0104545, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of location and description of said lot.

BEING a portion of the same property conveyed to Ole South Properties, Inc., a Tennessee Corporation, by deed from TWD I Partnership, a Texas General Partnership, dated July 28, 2006, appearing of record in Instrument Number 20060731-0092636, of the Register's Office of Davidson County, Tennessee.

THIS conveyance is made subject to Declaration of Covenants, Restrictions and Conditions of record in Instrument Number 20060824-0104548, and in Instrument Number 20061208-0152023; Easement to Tennessee Telephone Company of record in Instrument Number 20061013-0127087; Easement to Colonial Pipeline of record in Book 4542, page 131, in Book 3616, page 453, in Book 3570, page 13, and in Book 3571, page 599; Easement to First Suburban Water District of record in Book 4453, page 154; Transmission Line Easements of record in Book 4425, page 582, and in Book 2346, page 378; Declaration of Taking to United States of America (TVA) of record in Book 11335, page 609, and in Instrument Number 20021017-0127752; Storm Water Detention Agreement of record in Instrument Number 20041103-0132562; Charter of Homeowner's Association of record in Instrument Number 20060824-0104548; Easement to TDS Telecom of record in Instrument Number 20061013-0127208; and to any and all matters shown on said Plat and Survey of record in Instrument Number 20060824-0104545; all of said Register's Office.

THIS conveyance is subject to any and all existing easements and/or restrictions of record.

TRI STAR TITLE & ESCROW, LLC
279 ROBERT ROSE DRIVE, STE B
MURFREESBORO, TN 37129

TO HAVE AND TO HOLD said real estate, together with all of the appurtenances, estate and title thereunto belonging unto the said **MARK J. SCHERMERHORN, an unmarried man,** his heirs and assigns, forever.

The undersigned covenants with the said Grantee that it is lawfully seized and possessed of said parcel of real estate, and that it has a good right to convey the same and that it is un-encumbered, except for the lien of the 2009 real property taxes which have been prorated between the parties and are assumed by the Grantee.

The undersigned further covenants and binds itself, its successors and assigns to forever warrant and defend the title to said real estate to the Grantee, their heirs and assigns, against the lawful claims of all persons, whomsoever.

This property is subject to and includes any and all lawful easements, setback lines, restrictions, etc. of record and applying to the within described property and to the zoning regulations of the appropriate governmental body.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 30 day of September, 2009.

OLE SOUTH PROPERTIES, INC.

BY: _____

Roger Case, Vice President

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named **Roger Case,** with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the **Vice-President** of **OLE SOUTH PROPERTIES, INC., a Tennessee Corporation,** the bargainor, and that he as such **Vice-President**, executed the foregoing instrument (WARRANTY DEED) for the purposes therein contained, by signing the name of the corporation by himself as its **Vice-President**.

WITNESS MY HAND AND OFFICIAL SEAL in Antioch, Tennessee, this the 30 day of September, 2009.

_____
NOTARY PUBLIC
My Commission Expires: 12-27-09

SALLIE ALLEN
STATE OF TENNESSEE
NOTARY PUBLIC
RUTHERFORD COUNTY

AFFIDAVIT

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $147,990.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Sheri Morgan
AFFIANT

SWORN to and subscribed before me,
this the 30 day of September, 2009.

Sallie Allen
NOTARY PUBLIC
My Commission Expires: 12-27-09

SALLIE ALLEN
STATE OF TENNESSEE

NOTARY PUBLIC
RUTHERFORD COUNTY