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| **THIS INSTRUMENT PREPARED BY:**<br>**Mudter Morgan, Patterson & Akins**<br>**Attorneys-at-Law**<br>**2000 Richard Jones Road**<br>**Suite 110**<br>**Nashville, Tennessee 37215**<br><br>**Record & Return To:**<br>**First Title & Escrow Co., Inc.**<br>**FTEC File No. 29277-12-2009** | STATE OF TENNESSEE, COUNTY OF DAVIDSON:<br><br>The actual consideration or value, whichever is greater, for this transfer is: $153,900.00.<br><br>Sarah Elizabeth Hamner<br>Affiant<br><br>Subscribed and sworn to before me this 13th day of May, 2010<br><br>Notary Public<br><br>My Commission Expires: May 8, 2012 |

# SPECIAL WARRANTY DEED

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| **Address New Owner:**<br>Sarah Elizabeth Hamner<br>3525 West End Avenue, C-3<br>Nashville, TN 37205 | **Send Tax Bills To:**<br>First National Bank of<br>Chester Co 3840 Hempland<br>Mountville, PA 17554 | **Tax Information:**<br>Map and Parcel No.:<br>104090U011.00CO - |

**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, **Elmington Nashville LLC**, an Ohio limited liability company ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to Sarah Elizabeth Hamner ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at 3525 West End Avenue, Unit C-3, Nashville, TN 37205

**TO HAVE AND TO HOLD** said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee and its successors, heirs and assigns, forever. Grantor covenants with Grantee that Grantor is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it. This conveyance and all covenants and warranties made herein are expressly subject to those matters set forth on Exhibit "A". Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate against the lawful claims of all persons claiming by, through or under it but no further or otherwise.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

BILL GARRETT, Davidson County
Trans:T20100029340 DEEDWARRSP
Recvd: 05/17/10 09:37 3 pgs
Fees:18.00 Taxes:569.43
20100517-0037607

**IN WITNESS WHEREOF**, Grantor has executed this instrument on the 13th day of May, 2010 .

Elmington Nashville LLC, an Ohio limited liability company

By: E. Rhett Smith
E. Rhett Smith, Managing Member

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned Notary Public, in and for the said State and County, the within named **E. Rhett Smith**, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained and who further acknowledged that he is the Managing Member of Elmington Nashville LLC, an Ohio limited liability company, the maker, or a constituent of the maker and is authorized by the maker, or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand and official seal, at Nashville, Tennessee, this 13th day of May, 2010.

Notary Public

My commission expires: _____

GEORGE E. MUDTER, JR.
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires MAY 8, 2012

# EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. C-3, together with the appurtenant interest in the common elements of The Historic Elmington Condominium, a horizontal property regime established by Master Deed, of record in Instrument No. 20081103-0109021, amended in Instrument No. 20090623-0058248, Register's Office for Davidson County, Tennessee, said Unit being depicted on the Condominium Site Plan attached as Exhibit "C" to the aforementioned Master Deed.

Being part of the same property conveyed to Elmington Nashville, LLC by Deed dated February 29, 2008 from Elmington Investments, LLC, a Tennessee limited liability company of record in Instrument No. 20080303-0020950, Register's Office for Davidson County, Tennessee.

Pursuant to the provisions of Section 9 of the Master Deed, Parking Space #9 is hereby assigned as a limited Common Element for the Unit conveyed hereby.

**Permitted Encumbrances**

1. Taxes for the year 2010, a lien, which have been prorated and assumed by the Grantee.
2. Covenants, Conditions, Restrictions and Agreements, including the agreement to pay assessments for the maintenance of common areas, contained in the Master Deed (and By-Laws) for The Historic Elmington Condominium, of record in Instrument No. 20081103-0109021, amended in Instrument No. 20090623-0058248, Register's Office for Davidson County, Tennessee.
3. Terms and limitations imposed by Tennessee Horizontal Property Act, T.C.A. § 66-27-101, et seq.
4. All matters appearing on the Plan of record as Book 332, page 154, Register's Office for Davidson County, Tennessee.
5. Terms, Conditions and Restrictions of Conservation Zoning of record as Bill No. B12005-615, Metro Clerk's Office for Davidson County, TN, together with any restrictions imposed by the Metropolitan Historic Zoning Commission, not of record.
6. Terms, Conditions and Restrictions of Urban Zoning Overlay of record as Metro Ordinance No. BL2000-364, made applicable by Ordinance No. BL2000-476 of record in the Metropolitan Clerk's Office for Davidson County, Tennessee.