THIS INSTRUMENT PREPARED BY:

MITCHELL A. WATTS, ATTORNEY
2400 Crestmoor Road Suite 102
Nashville, Tennessee 37215

BILL GARRETT, Davidson County
Trans:T20110047007 DEEDWARR
Recvd: 08/02/11 14:04 2 pgs
Fees:13.00 Taxes:762.20
20110802-0059369

MITCHELL A. WATTS
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY

**STATE OF TENNESSEE)**
**COUNTY OF DAVIDSON)**

The actual consideration or value, whichever is greater, for this transfer is $***206,000.00.

Affiant

Subscribed and sworn to before me this 29th day of July, 2011.

Notary Public

My Commission Expires: 8.20.13

| **ADDRESS OF NEW OWNER** | **SEND TAX BILLS TO** | **MAP & PARCEL NOS.** |
|---|---|---|
| Steven N. Backer<br>2025 Woodmont Boulevard #107<br>Nashville, Tennessee 37215 | Steven N. Backer<br>5235 Sky Trail<br>Littleton, CO 80123 | MAP 117-11-0 J<br>PARCEL 107.00 CO |

## WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Two Hundred Six Thousand and 00/100 Dollars ($***206,000.00) cash in hand paid, the receipt of which is hereby acknowledged, we, Richard J. Durham and wife, Penelope D. Durham, (hereinafter called the "GRANTORS"), have bargained and sold, and by these presents do transfer and convey unto Steven N. Backer, married, (hereinafter called the "GRANTEE"), his heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

BEING Unit No. 107, together with the appurtenant interest in the common elements of The Hillmont Condominiums, a horizontal property regime established by Master Deed of record in Instrument 20040209-0015685, re-recorded in Instrument 20040212-0017074, amended in Instrument 20050404-0036415 and Instrument 20050512-0053861 in the 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 the same property conveyed to Richard J. Durham and wife, Penelope D. Durham, by Warranty Deed dated January 21, 2005, from The Garden Partners, a Tennessee general partnership, of record in Instrument 20050125-0009205 in the Register's Office for Davidson County, Tennessee.

This is improved property known as 2025 Woodmont Boulevard #107, Nashville, Tennessee 37215.

TO HAVE AND TO HOLD the aforesaid real estate, together with any and all appurtenances and improvements thereunto belonging to the said GRANTEE, his heirs and assigns, in fee simple, forever.

GRANTORS COVENANT with the said GRANTEE that they are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, except as follows:

1. Real estate taxes for the current year, which have been prorated between the parties herein and assumed by Grantee herein.

2. The premises herein insured is a condominium apartment established pursuant to the provisions of the Tennessee Horizontal Property Act as the same is set out in Section 66-27-101, et seq., of the Tennessee Code Annotated, and is subject to the provisions and requirements thereof and is subject to the By-Laws for the administration thereof; also subject to the easements, rights and interest in favor of other unit owners, and all sewer, water, electrical, telephone, and other utility easements now or hereafter established over, through, or upon the land embracing the regime and buildings thereon; and also including without limitations, all conditions, covenants, restrictions, options, burdens, assessments and other undertakings contained in the Master Deed establishing a Horizontal Property Regime of The Hillmont Condominiums of record in Instrument Number 20040209-0015685, re-recorded in Instrument 20040212-0017074, amended in Instrument 20050404-0036415 and 20050512-0053861, in the Register's Office for Davidson County, Tennessee.

3. Rights of others in and to the common areas and/or elements.

4. Right of Entry Agreement in Book 9921, page 620, Register's Office for Davidson County, Tennessee.

5. Covenants, conditions, restrictions, reservations and easements, if any, contained in former instruments of record pertaining to subject property.

GRANTORS FURTHER COVENANT and bind themselves, their heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE, his heirs and assigns, against the lawful claims of all persons whomsoever.

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

IN WITNESS WHEREOF, the GRANTORS have executed this instrument on this the 29th day of July, 2011.

Richard J. Durham

Penelope D. Durham

**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 Richard J. Durham and Penelope D. Durham, the bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal this 29th day of July, 2011.

Notary Public

My Commission Expires: 6.20.13

MITCHELL A. WATTS
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY