(3)

STATE OF Tennessee
COUNTY OF ~~Davidson~~ Sumner

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $175,000.00.

Melissa D. Rogers
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 4th DAY OF October, 2011.

Connie L. Timbs
Notary Public
MY COMMISSION EXPIRES: 2-3-2015
File No. G11-2721D

CONNIE L. TIMBS
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

PLEASE RETURN TO:
WARRANTY TITLE INS CO.
165 INDIAN LAKE BLVD STE 106
HENDERSONVILLE, TN 37075

BILL GARRETT, Davidson County
Trans:T20110062342 DEEDWARR
Recvd: 10/06/11 11:17 2 pgs
Fees:13.00 Taxes:647.50
20111006-0077704

WARRANTY DEED

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBER
John M. Payne and Andrea L. Payne, husband and wife (NAME)	PrimeLending, A PlainsCapital Co. (NAME)	73-9-2
2139 Fernwood Drive (STREET ADDRESS)	18111 Preston Rd. Ste. 900 (STREET ADDRESS)	
Nashville, TN 37216 (CITY) (STATE) (ZIP)	Dallas, TX 75252 (CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBYACKNOWLEDGED, WE, **Bettie Carol Timberlake and Melody Jane Timberlake Spitznas,** HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO **John M. Payne and Andrea L. Payne, husband and wife,** HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS TO-WIT:

Land in Davidson County, Tennessee, being Lot No. 187 on the plan of DALEWOOD, SECTION III, as shown by plat of record in Plat Book 1835, Page 20, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Beginning at a point in the southerly margin of Fernwood Drive at the corner of Lots Nos. 186 and 187; thence with the margin of said Drive northeasterly 106 feet to the beginning of a curve; thence around said curve easterly 39.3 feet to the margin of an unnamed open street shown on said plan; thence with the margin of the same southeasterly 143 feet to a point; thence southwesterly 131.5 feet to the corner of Lots Nos. 186 and 187; thence with the line between said Lots northwesterly 180.3 feet to the beginning.

BEING the same property conveyed to Frank E. Timberlake and Bettie C. Timberlake, husband and wife from R.W. Williams and wife, Margaret S. Williams, by Deed dated July 10, 1952, in Book 2088, Page 191, in the Register's Office for Davidson County, Tennessee.
Frank E. Timberlake has since died November 6, 2007, vesting sole ownership in Bettie C. Timberlake as surviving tenant by the entirety. The said Bettie C. Timberberlake having since died intestate on December 18, 2009, vesting ownership in her heirs at law being Melody Jane Timberlake Spitznas, Bettie Carol Timberlake and Barry Timberlake (deceased). See Affidavit of Heirship recorded as Instrument 20111006-0077702 said Register's Office. The said Barry Timberlake having since died intestate on May 23, 1995 and predeceasing Bettie C. Timberlake vesting ownership in his heirs at law being Melody Jane Timberlake Spitznas and Bettie Carol Timberlake. See Affidavit of Heirship recorded as Instrument #20111006-0077703, said Register's Office.

Subject to any and all plats, easements, restrictions, and other matters of record, including, but not limited to, the following:

1. Restrictions as recorded in Book 1229 page 325, Book 1786, page 80, Book 1855, page 223, Register's Office for Davidson County, Tennessee.

2. Subject to building restriction lines, easements, rights of way, notes, terms, conditions, restrictions and other criteria as shown on the Plat(s) recorded in Book 1835, page 20, Register's Office for Davidson County, Tennessee.

3. Easement for sanitary sewers and or storm drainage as recorded in Book 4144 page 856, Register's Office for Davidson County, Tennessee.

The 2011 taxes have been paid by the Grantor and the current taxes have been prorated between the Grantor and Grantee. All future taxes will be assumed by the Grantee herein.
The above legal description is the same as that contained in the previous deed of record.

This is improved property, known as 2139 Fernwood Drive, Nashville, TN 37216.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns, forever, and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out, and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their 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.

Witness my/our hand(s) this 4th day of October, 2011.

Bettie Carol Timberlake

Bettie Carol Timberlake

~~September 09, 2011~~ October 4, 2011
Date

Melody Jane Timberlake Spitznas

Melody Jane Timberlake Spitznas

~~September 09, 2011~~ October 4, 2011
Date

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 Bettie Carol Timberlake and Melody Jane Timberlake Spitznas, the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this 4th day of October, 2011.

My Commission Expires: 9/22/14

Notary Public

TODD SHOLAR STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY

PREPARED BY ~~AND RETURN TO:~~

SMITH.SHOLAR.MILLIKEN.PLLC.
P.O. BOX 663
GALLATIN, TN 37066