ADDRESS NEW OWNER:
Barbara S. Carter
Dennis N. Carter
8500 Sawyer Brown Road
Nashville, TN 37221

SEND TAX BILL TO:
Ascend Federal Credit Union
1611 N. Jackson Street
Tullahoma, TN 37388

MAP & PARCEL NOS.:
142-090 D 157 CO

BILL GARRETT, Davidson County
Trans:T20120016753 DEEDWARR
Recvd: 03/07/12 09:27 9 pgs
Fees:48.00 Taxes:610.13
20120307-0019896

This instrument prepared by: Cindy S. Smith, P.C., Attorney at Law
P.O. Box 292004
Nashville, TN 37229

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and No/100 ($10.00) DOLLARS cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, We, **Cleo Hall Whitfield, an unmarried person** (the "Grantors"), have bargained and sold, and by these presents do transfer and convey unto **Barbara S. Carter and Dennis N. Carter, wife and husband** (the "Grantees"), Grantees' successors and assigns, a certain tract or parcel of land in **Davidson County**, State of Tennessee, being more particularly described as follows, to wit:

A certain tract or parcel of land in Davidson County, Tennessee, described as follows, to-wit:

Unit No. 8500, together with the carport designated No. 8500-C in River Plantation, Section Ten, Phase One, a condominium, a Horizontal Property Regime, located on Sawyer Brown Road, Bellevue, Davidson County, Tennessee, and described in a Master Deed recorded in Book 9394, Page 598, said Register's Office for Davidson County, Tennessee, to which reference is hereby made. The easements restrictive Covenants, conditions and regulations imposed upon and relating to the apartments, property, co-owners and tenants of River Plantation, Section Ten, Phase One, Condominium Apartments, contained in the Master Deed and By-Laws appended thereto, and recorded in Book 9394, Page 598, and annexation document in Book 9669, Page 111, Register's Office for Davidson County, Tennessee, are incorporated in this deed by reference and made a pat hereof the same as though copied herein.

Being the same property conveyed to Cleo Hall Whitfield from Joanne Reed Wright, unmarried, by Warranty Deed recorded on February 22, 2000, in Instrument No. 20000222-0016982, Register's Office for Davidson County, Tennessee. Ritta Mitchell and Johnnie Spann were appointed Co-Guardians of the Estate of Cleo H. Whitfield pursuant to Order Appointing Guardianship of the Person and Estate filed December 30, 2009, in the Circuit Court of Washington County, Arkansas Probate Division. A copy of said Order is attached hereto as Exhibit A. Said Court authorized the said Co-Guardians to sell the herein described Property by virtue of an Order Authorizing Sale of Real Property. A copy of said Order is attached hereto as Exhibit B. Cleo Hall Whitfield is one and the same person as Cleo H. Whitfield.

This is property with a common address of **8500 Sawyer Brown Road, Nashville, TN 37221.**

CONVEYANCE OF SAID PROPERTY IS MADE SUBJECT TO THE FOLLOWING:
(1) Property taxes for the current year and all subsequent years, said taxes for the current year being prorated and payment of same being assumed by the Grantees; (2) All matters appearing on the Plan of record in Book 7900, Pages 745-746, as re-recorded in Book 7900, Page 945 & 946, Register's Office for Davidson County, Tennessee; (3) Restrictive Covenants of record in Book 7389, Page 924, and Instrument No. 20081203-0117317, said Register's Office; (4) Master Deed in Book 9394, Page 598, said Register's Office; (5)

By-Laws in Book 9394, Page 613; Book 7389, Page 924; and Instrument No. 20081203-0117316, said Register's Office; (6) Charter for Homeowners Association in Book 7402, Page 592, said Register's Office; (7) Quitclaim Deed to River Plantation, Section 10, Condominium Association in Instrument No. 20090825-0079851, said Register's Office.

TO HAVE AND TO HOLD the said tract or parcel of land with the appurtenances, estate, title, and Interests thereto belonging to the said Grantees, Grantees' successors and assigns, forever.

And Grantors do covenant with the said Grantees that Grantors 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 set forth herein.

And Grantors do further covenant and bind themselves, their heirs, representatives and assigns, to warrant and forever defend the title to the Property to the said Grantees, their successors and assigns against the lawful claims of all persons whomsoever.

When necessary for proper construction, the singular shall include the plural and the plural shall include the singular, and the reference to any gender shall include reference to any and all genders.

IN WITNESS WHEREOF, the Grantors have caused this Deed to be executed this 5th day of March, 2012.

Ritta Mitchell, Co-Guardian

Ritta Mitchell, Co-Guardian
of the Estate of Cleo H. Whitfield, Seller

STATE OF Arkansas
COUNTY OF Washington

I HEREBY CERTIFY, that on the **5th** day of **March 2012**, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **Ritta Mitchell, Co-Guardian of the Estate of Cleo H. Whitfield,** known to me or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the within Correction Agreement-Limited Power of Attorney and acknowledge that she executed the same for the purpose therein contained.

Notary

AS WITNESS my hand and seal the day and year first above written.

Lori Slane

NOTARY PUBLIC
COMMISSION EXPIRATION:

LORI SLANE
No. 12371774
NOTARY PUBLIC
EXPIRES 06-19-2019
WASHINGTON COUNTY - ARKANSAS

Johnnie Spann Co Guardian

Johnnie Spann, Co-Guardian
of the Estate of Cleo H. Whitfield, Seller

STATE OF TENNESSEE
COUNTY OF Davidson

I HEREBY CERTIFY, that on the **5th** day of **March 2012**, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **Johnnie Spann, Co-Guardian of the Estate of Cleo H. Whitfield,** known to me or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the within Correction Agreement-Limited Power of Attorney and acknowledge that she executed the same for the purpose therein contained.

Witness my hand and official seal at office, this **5th** day of **March 2012.**

NOTARY PUBLIC
MY COMMISSION EXPIRES: 5-6-2013

CINDY S. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 6, 2013

STATE OF TENNESSEE
COUNTY OF Davidson
The actual consideration or value, whichever is greater for this transfer is $164,900.00.

Barbara S. Carter
Affiant

Subscribed and sworn before me this 5th day of March, 2012.

Notary Public
My Commission Expires: 5-6-2013

CINDY S. SMITH
NOTARY PUBLIC
STATE OF TENNESSEE
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 6, 2013

File No. 1202-033

Exhibit A

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS
PROBATE DIVISION

FILED
2009 DEC 30 AM 9:11
KAREN COMER'S RICHARD
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

IN THE MATTER OF CLEO H. WHITFIELD,
an incapacitated person **CASE NO. PR-2009-566-6**

ORDER APPOINTING GUARDIANSHIP
OF THE PERSON AND ESTATE

Now on this the 30th day of December, 2009 comes on for Hearing the verified Petition for the Appointment of Co-Guardians of the Person and the Estate of Cleo H. Whitfield, an incapacitated person. The Petitioner and her counsel appeared in person, as did Cleo Whitfield and Johnnie Spann. Dr. Gene Chambers appeared by affidavit, which has been filed of record. Based on the pleadings filed herein, the testimony and evidence adduced at the hearing, statements of counsel, and other things and matters before this Court, this Court does find, as follows:

1. This Court has jurisdiction over the parties and subject matter of this action.

2. That Cleo Whitfield suffers from dementia and is incapciatated to the extent that she needs a Guardianship of her Person and Estate in order to protect and preserve her best interests.

3. The Petitioner is the daughter of the incapacitated person and she is a qualified and appropriate person to act as Guardian of the Person and Co-Guardian of the Estate of the incapacitated person in order to protect her interests.

4. That Johnnie Spann is the half-sister of the incapacitated person and she is a qualified and appropriate person to act as Co-Guardian of the Estate of the incapacitated person in order to protect her interests.

5. That the Court finds that Ritta Mitchell should be appointed Guardian of the Person and Co-Guardian of the Estate of Cleo H. Whitfield, an incapacitated person.

6. That the Court finds that Johnnie Spann should be appointed Co-Guardian of the Estate of Cleo H. Whitfield, an incapacitated person.

7. That the Court finds that Ritta Mitchell, upon the filing of an acceptance of the Court's appointment as Guardian of the Person and Co-Guardian of the Estate of Cleo H. Whitfield, shall be recognized as her guardian and the Court directs that letters of guardianship be issued to her forthwith upon the filing of the acceptance and the posting of bond.

8. That the Court finds that Johnnie Spann, upon the filing of an acceptance of the Court's appointment as Co-Guardian of the Estate of Cleo H. Whitfield, shall be recognized as her guardian and the Court directs that letters of guardianship be issued to her forthwith upon the filing of the acceptance and the posting of bond.

9. The Co-Guardians shall post a bond acceptable the Court in the sum of $55,000.00. The Clerk shall thereafter issue appropriate Letters of Guardianship.

10. That the Court finds that the Guardians, through counsel, shall keep the Court advised as to any actions taken on behalf of the ward, and shall accountings as required by law.

IT IS THEREFORE, ORDERED, DECREED AND ADJUDGED that Ritta Mitchell, should be, and hereby is, appointed the Guardian of the Person and Co-Guardian of the Estate of Cleo H. Whitfield; that Johnnie Spann, should be, and hereby is, appointed Co-Guardian of the Estate of Cleo H. Whitfield; that the Guardians will keep the Court informed, through counsel, of any actions taken on behalf of the ward during the pendency of this guardianship.

IT IS SO ORDERED.

CIRCUIT JUDGE

Exhibit B

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS
PROBATE DIVISION

IN THE MATTER OF CLEO H. WHITFIELD,
an incapacitated person **CASE NO. PR-2009-666-6**

FILED
2012 FEB 27 AM 10: 28
CIRCUIT COURT
PROBATE DIVISION
WASHINGTON CO. ARK.

ORDER AUTHORIZING SALE OF REAL PROPERTY

On this 27th day of February, 2012, is presented the Petition filed by the Co-Guardian herein seeking authority to sell real property belonging to Cleo H. Whitfield, an incapacitated person, as hereinafter described. Based on said Petition the Court finds and orders as follows:

1. That notice has been given to all necessary parties, if any, pursuant to the law and the Order of this Court, said notice being in the manner and for the time required by law.

2. That the Co-Guardians, Ritta Mitchell and Johnnie Spann, wish to sell the following described real property, which is owned by Cleo H. Whitfield, an incapacitated person:

> A certain tract or parcel of land in Davidson County, Tennessee, described as follows to wit:
>
> Unit No. 8500, together with the carport designated No. 8500-C, in River Plantation, Section Ten, Phase One, a condominium, a Horizontal Property Regime, located on Sawyer Brown Road, Bellevue, Davidson County, Tennessee, and described in a Master Deed recorded in Book 9394, page 598, said Register's Office for Davidson County, Tennessee, to which reference is hereby made.
>
> Also known as: 8500 Sawyer Brown Road, Nashville, Davidson County, Tennessee 37221.

3. That said property has been appraised as required by law, and has been assessed a fair market value of $152,000.00.

4. That it is necessary and desirable to sell said property for the reasons and purposes set forth in the Petition; and that it is in the best interest of the estate that the property described hereinabove be sold in accordance with Arkansas law.

5. That Petitioner and Co-Guardian, Johnnie Spann, have entered into a contract to sell said real property to Dennis and Barbara Carter, husband and wife, for the gross sum of $164,900.00, contingent upon approval by the Court. Terms of the sale are to be cash at the time of closing.

6. The Co-Guardians of the Estate of Cleo H. Whitfield were duly appointed subsequent to posting bond in the amount of $355,000.00 as required by the Court, and no additional bond should be required by reason of the proposed sale.

7. Upon closing of the sale of real property, the proceeds of the sale shall be invested by the Co-Guardians in one or more Certificates of Deposit (CDs) with Arvest Bank for the benefit of Cleo H. Whitfield.

8. That no objections have been offered to the sale of the subject property at a private sale, upon the terms and conditions as shown, or to the appraised value of said property.

9. The Court hereby finds that it is in the best interest of Cleo H. Whitfield, an incapacitated person, that the Petitioner and Co-guardian Johnnie Spann be authorized to sell and convey Cleo H. Whitfield's interest in the property as set out in the Petition. The Petitioner and Co-guardian Johnnie Spann are hereby authorized to sell and convey Cleo H. Whitfield's interest in the property described hereinabove, to execute an Executor's Deed concerning the same, and to execute any and all other documents and closing statements which may be necessary to consummate said transaction.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED, AND DECREED that said Petition be and the same hereby is granted; that the Petitioner and Co-guardian herein be, and hereby are, authorized and directed to sell the real property described hereinabove to Dennis and Barbara Carter, husband and wife, free and clear of any and all debts of the estate of Cleo H. Whitfield or

claims against the same; said Petitioner is hereby authorized to execute an Executor's Deed conveying Cleo H. Whitfield's interest in the property to buyer and to execute any and all other documents which may be necessary to consummate the sale; the proceeds of the sale shall be invested in one or more Certificates of Deposit (CDs) with Arvest Bank for the benefit of Cleo H. Whitfield; and said Petitioner is ordered and directed to make a report of her actions in the manner and within the time required by law.

Honorable Mark Lindsay
Washington County Circuit Judge

Prepared by:

William M. Burk, #2008164
Taylor Law Partners, LLP
P.O. Box 8370
Fayetteville, AR 72703
(479) 443-5222