PREPARED BY (AND RETURN TO):

WILKINS & IVEY

Attorneys at Law

104 Woodmont Blvd., Suite 100

Nashville, Tennessee 37205

Phone (615) 298-3312 - Fax 292-8746

BILL GARRETT, Davidson County
Trans:T20120049943 DEEDWARR
Recvd: 07/06/12 12:57 3 pgs
Fees:18.00 Taxes:3163.50
20120706-0059614

Christy Wilkins Ivey

Percy Wilkins, Jr. (retired)

W & I Ref: DM Title No: 51365

Dav. Co. File: Box 8

ADDRESS NEW OWNER:	RESPONSIBLE FOR TAX PAYMENT:
Russell E. Gibson Julie M. Countess 3904 Valley Road Nashville, Tennessee 37205	

TAX MAP-PARCEL NUMBERS: 10312019300

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$855,000.00** , cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **S. Patrick Whalen and spouse, Ursula P. Whalen**, hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Russell E. Gibson and Julie M. Countess** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

Land in Davidson County, Tennessee, being Lot No. 18 of Block F on the Plan of Cherokee Park of record in Book 547, pages 169 and 170, Register's Office for said County.

Said Lot No. 18 of Block F fronts 60 feet on the northwesterly margin of Valley Road and extends back 213.56 feet on the southwesterly line and 219.47 feet on the northeasterly line to a dead line in the rear, measuring 63 feet thereon.

Being the same property conveyed to S. Patrick Whalen and spouse, Ursula P. Whalen by Warranty Deed from Robert H. Thym, Jr., and spouse, Katherine P. Thym, dated July 1, 2008 and recorded on July 2, 2008 of record in Doc. No. 20080702-0068431, Register's Office for Davidson County, Tennessee.

Description Reference: The description is the same as that used in the last deed prior to this transaction.

This conveyance is subject to: Taxes for 2012, and subsequent years; The Plan, with Owner's Certificate, of record in Book 547 Pages 169 and 170, said Register's Office, which Plan shows a 50 foot minimum building setback line from Valley road and a 5 foot easement for public utility purposes along the rear line of said lot.

This instrument is executed on behalf of S. Patrick Whalen by Ursula P. Whalen pursuant to a Power of Attorney executed by him on the 20 day of June, 2012, of record in Instrument No. 20120706-0059613, Register's Office for Davidson County, Tennessee. The affidavit of said Attorney in Fact is attached as "Exhibit A' to this instrument and incorporated herein by reference

This is improved property, known as: 3904 Valley Road, Nashville, Tennessee 37205

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 27th day of June, 2012 .

S. Patrick Whalen by Ursula P. Whalen Atty-in-Fact — Ursula P. Whalen

S. Patrick Whalen By: Ursula P. Whalen, Atty-in-Fact — Ursula P. Whalen

State of TENNESSEE
County of DAVIDSON

On this 27th day of June, 2012 , before me the undersigned authority, personally appeared **Ursula P. Whalen** , to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____

CHRISTY W. IVEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

MY COMMISSION EXPIRES: March 3, 2015

Notary

State of TENNESSEE
County of DAVIDSON

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $855,000.00

Brittany Driggas
Affiant

Sworn and subscribed before me this 27th day of June, 2012

Notary Public

My Commission Expires: 6-2-2013

TODD A. TRESSLER, II STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

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 , **Ursula P. Whalen** with whom I am personally acquainted (or whose identity was proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within instrument on behalf of **S. Patrick Whalen** , as Attorney-in-Fact, as the free act and deed of the said Principal(s).

Witness my hand and official seal at Nashville, Tennessee, this 27th day of June, 2012

CHRISTY W. IVEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Notary Public

My Commission Expires:

MY COMMISSION EXPIRES:
March 3, 2015

EXHIBIT "A"

To
Warranty Deed

FROM: S. Patrick Whalen and spouse, Ursula P. Whalen

TO: Russell E. Gibson and Julie M. Countess

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned Affiant, being first duly sworn, deposes and says as follows:

1. That the document to which this affidavit is exhibited is executed by the undersigned as attorney-in-fact for the principal(s) thereon shown.

2. That this execution is proper and within the scope of the power-of-attorney referenced in the instrument.

3. Pursuant to the provisions of *Tennessee Code Annotated,* Section 34-6-105(c), of the Uniform Durable Power of Attorney Act, the undersigned Affiant certifies that at the time of execution of said document the Affiant had no knowledge or notice of the termination of the power-of-attorney, either by revocation or by a principal's death, disability, or incapacity.

Further the Affiant Saith not.

Ursula P. Whalen

Ursula P. Whalen, Affiant

Sworn to and subscribed before me this 27th day of June, 2012

Notary Public

My Commission Expires:

CHRISTY W. IVEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

MY COMMISSION EXPIRES:
March 3, 2015