(2)

Bill Garrett
Batch# 134047
08/28/2018 10:11:04 AM
Fees: $18.00 Taxes: $1,103.77
Davidson County
DEEDWARR
3 pgs
20180828-0085046

Send Tax Statemer
New Owner

This Instrument Prepared By/Return To:
OHN G. MITCHELL, III
Attorney at Law
1535 W. Northfield Blvd., Unit 16
Murfreesboro, TN 37129

Name and Address of New Owner:

Joshua Elliott Smiley
805 Sam Patch Court
Hermitage, TN 37076

From Information Furnished By
The Parties

Map & Parcel: 76 I D/9CO

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

WARRANTY DEED

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, the undersigned, **OLE SOUTH PROPERTIES, INC., A TENNESSEE CORPORATION,** has this day bargained and sold and does hereby transfer and convey unto **JOSHUA ELLIOTT SMILEY AND KIRSTEN NICOLE SMILEY, HUSBAND AND WIFE,** their heirs and assigns, forever, that certain parcel of real estate located in Davidson County, State of Tennessee, and being described as follows, to-wit:

Being all of Lot No. 9, on the plan of Final Plat, Heritage Hills, Phase 3, Planned Unit Development, according to plat and survey appearing of record in Instrument Number 20171004-0102057, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of location and description of said lot.

Being a portion of the same property conveyed to Ole South Properties, Inc., a Tennessee Corporation, by deed from Ole South/Craighead Joint Venture, a Tennessee Joint Venture, dated April 30, 2018, appearing of record in Instrument Number 20180510-0045009, of the Register's Office of Davidson County, Tennessee.

This conveyance is made subject to Declaration of Covenants, contained in instrument of record in Instrument Number 20170925-0098154; Grant of Easement to Piedmont Natural Gas Company of record in Instrument Number 20100111-0002349; Declaration of Easements of record in Instrument Number 20061227-0159081; Detention Maintenance Agreement of record in Instrument Number 20060503-0050829; Homeowner's Association Charter of record in Instrument Number 20070821-0100112; Off Site Sewer Easement of record in Instrument Number 20170613-0059009; and to any and all matters shown on said plat and survey of record in Instrument Number 20171004-0102057; all of said Register's Office.

THIS conveyance is subject to any and all existing easements and/or restrictions of record.

TO HAVE AND TO HOLD said real estate, together with all of the appurtenances, estate and title thereunto belonging unto the said **JOSHUA ELLIOTT**

SMILEY AND KIRSTEN NICOLE SMILEY, HUSBAND AND WIFE, their heirs and assigns, forever.

The undersigned covenants with the said Grantee that it is lawfully seized and possessed of said parcel of real estate, and that it has a good right to convey the same and that it is un-encumbered, except for the lien of the 2018 real property taxes which have been prorated between the parties and are assumed by the Grantee.

The undersigned further covenants and binds itself, its successors and assigns to forever warrant and defend the title to said real estate to the Grantee, his heirs and assigns, against the lawful claims of all persons, whomsoever.

This property is subject to and includes any and all lawful easements, setback lines, restrictions, etc. of record and applying to the within described property and to the zoning regulations of the appropriate governmental body.

IN WITNESS WHEREOF, the undersigned has executed this instrument 22nd day of August, 2018.

OLE SOUTH PROPERTIES, INC.,
a Tennessee Corporation

BY: _____
John Davis, Vice President

STATE OF TENNESSEE)
)
COUNTY OF RUTHERFORD)

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named John Davis, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Vice President of Ole South Properties, Inc., the bargainor, and that he as such Vice President, executed the foregoing instrument (WARRANTY DEED) for the purposes therein contained, by signing the name of the corporation by himself as its Vice President.

WITNESS MY HAND AND OFFICIAL SEAL in Murfreesboro, Tennessee, this the 22nd **day of** August **, 2018.**

LINDSAY W. WALKER
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY

_____
NOTARY PUBLIC
My Commission Expires: 4/18/21

AFFIDAVIT

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $298,315.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

AFFIANT

SWORN to and subscribed before me,
this 22nd day of August, 2018.

NOTARY PUBLIC
My Commission Expires: 4/18/21

LINDSAY W. WALKER
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY