

THIS INSTRUMENT WAS PREPARED BY THE LAW OFFICE OF DANIELS & GIAIMO, ATTORNEYS AT LAW, (WHOSE MAILING ADDRESS IS P.O. BOX 13, LIVINGSTON, TN 38570) BASED UPON INFORMATION FURNISHED. UNLESS A SEPARATE DOCUMENT IS PROVIDED BY PREPARER, NO REPRESENTATION IS MADE AS TO THE ACCURACY OF THE DESCRIPTION, THE STATUS OF THE TITLE OF THE SAID PROPERTY, DEEDS OF TRUST, LIENS OR ENCUMBRANCES THEREON.

AFTER BEING PROPERLY EXECUTED, THIS DOCUMENT MUST BE IMMEDIATELY RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF THE COUNTY OR COUNTIES WHERE THE PROPERTY IS LOCATED.

PERSON(S) RESPONSIBLE FOR PROPERTY TAXES: Joel F. Brier
8400 Myakka Court
Lake Worth, FL 33467

I, or we, hereby affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$25,000.00, whichever amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Sworn to and subscribed to before me on this the 17 day of Oct, 2005.

My Commission Expires: 4-25-07

Register of Deeds or Notary Public

WARRANTY DEED

THIS INDENTURE made and entered into on this the 17th day of October, 2005 by and between

Ronnie W. Phillips and wife, Amy Leigh Phillips, hereinafter referred to as the GRANTORS, and **JOEL F. BRIER**, hereinafter referred to as the GRANTEE.

WITNESSETH, that for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said GRANTORS have this day bargained and sold and by these presents do transfer and convey unto the said GRANTEE the following described tract or parcel of land, in the 9th Civil District of Overton County, Tennessee, to wit:

"The following is a description of a portion of the Helen Burgess property being located on Highway 85 and Thicket Road in the 9th Civil District of Overton County, Tennessee.
(Reference Warranty Deed Book 269, Page 306 and Book 293, Page 545 and Tax Map 94, Parcel 8.00, 8.01 and 17.00).

Beginning on a 10" wooden fence post being the Northern most corner of this described parcel as well as being located S 77° 09' 13" E 31.18 feet from a power pole; thence running along a fence S 31° 05' 01" E 687.10 feet to a 1/2" pipe set; thence leaving the fence and going with Highway 85 S 81° 48' 36" W 5.08 feet; thence S 69° 00' 14" W 81.68'; thence S 64° 28' 22" W 95.74 feet; thence S 63° 19' 08" W 58.11 feet; thence S 63° 13' 31" W 55.05 feet; thence S 61° 42' 08" W 84.19 feet; thence S 59° 59' 56" W 92.27 feet; thence S 73° 57' 37" W 97.38 feet; thence N 82° 21' 58" W 91.01 feet; thence N 81° 42' 43" W 153.41 feet; thence N 86° 33' 37" W 56.61 feet; thence N 61° 44' 20" W 30.76 feet; thence N 11° 50' 01" W 44.07 feet; thence N 31° 48' 29" E 35.73 feet; thence N 53° 46' 00" E 12.57 feet; thence N 65° 10' 40" E 19.75 feet; thence N 79° 08' 42" E 38.12 feet; thence N 75° 43' 19" E 25.10 feet; thence N 49° 12' 45" E 57.36 feet; thence N 13° 58' 12" E 35.47 feet; thence N 08° 56' 20" W 39.53 feet; thence N 37° 45' 41" W 68.63 feet; thence N 53° 19' 43" W 30.74 feet; thence leaving Highway 85 and going with Thicket Road along a curve turning to the right with an arc length of 42.64', with a radius of 25.00', and having a chord of N 04° 28' 00" W 37.66'; thence N 44° 23' 43" E 77.37 feet; thence N 42° 55' 31" E 69.97 feet; thence N 52° 46' 34" E 132.49 feet; thence N 48° 34' 51" E 123.60 feet; thence N 35° 28' 58" E 103.44 feet; thence N 28° 24' 13" E 108.04 feet to the beginning 8.20 acres as surveyed by Christopher M. Vick R.L.S. #2164 on 26 September, 2005."

Being the same property previously and lastly conveyed in the Warranty Deed dated December 8, 2000 from Union Bank & Trust Company to Norma Lee Marek, and same is of record in W. Deed Book 293, Page 545 in the Register's Office of Overton County, Tennessee. This portion being known as OVERTON COUNTY TAX MAP 94, PARCEL 17.00 (Lot #4).

Being a portion of the property previously and lastly conveyed in the Trustee's Deed dated July 6, 1993 from Bobby James Ellis, Trustee for Helen L. Burgess to Helen L. Burgess, and same is of record in W. Deed Book 269, Page 306 in the Register's Office of Overton County, Tennessee.

This portion being known as OVERTON COUNTY TAX MAP 94, portion of PARCEL 8.00 (Lot #'s 5 & 9 only) and OVERTON COUNTY TAX MAP 94, PARCEL 8.01 (Lot #'s 1-3 & 10).

EXCLUDED from the above described property is the following off-conveyance in which Union Bank & Trust Company executed in favor of Norma Lee Marek, and same is of record in Warranty Deed Book 293, Page 545 in the Register's Office of Overton County, Tennessee:

Lying and being in the 9th Civil District of Overton County, Tennessee and being more particularly described as follows:, to wit:

"BEGINNING at State Highway 85 at the Southwest corner of Steel property, being Lot No. 5 of an unrecorded Plat; thence running with State Highway 85, S 61 degrees 44' 53" W 200 feet to a point; thence N 29 degrees 08' 12" W 220 feet to a point; thence N 61 degrees 44' 53" E 200 feet to a point; thence S 29 degrees 08' 12" E 200 feet to the point of BEGINNING. CONTAINING 1.0100 acres, more or less, but sold by the boundary and not by the acre." This portion being known as OVERTON COUNTY TAX MAP 94, PARCEL 17.00 (Lot #4)]

The previous and last conveyance being a Warranty Deed dated October 5, 2005 from Joseph J. Marek to Ronnie W. Phillips and wife, Amy Leigh Phillips, and same is of record in Record Book 5, Page 980 in the Register's Office of Overton County, Tennessee.

Said property is a portion of the Ronald W. Phillips property, and **this conveyance is made subject to the following restrictions and covenants**; said restrictions being recorded with the Warranty Deed, at the Register's Office, Overton County, Tennessee; **said restrictions and covenants shall run with the land and be binding upon all future owners of said land**, to-wit:

1. The property shall be used for single family residential purposes only.
2. All residential structures shall contain no less than nine hundred (900) square feet of finished living space, exclusive of open porches, garages, porticos, carports and the like.
3. No parcel or tract shall be used in a way that noxious odors emit or unsightly, unhealthy or unkept conditions exist to the nuisance of other tract or parcel owners.
4. There shall be no commercial livestock operations of any kind, including, but not limited, to the raising for sale, slaughter or residential, chickens, cattle, goats, swine or other type animal or fowl. It will be a permissible use to keep and stable horses for personal use by the owner and/or occupant of the property.
5. No activity that creates a nuisance to other land owners as the result of loud noises, music, speakers, amplification of noise, etc. A nuisance shall include any such activity that diminishes or destroys the reasonable and quiet enjoyment of the properties subject of these declarations.
6. No inoperative or unlicensed vehicles will be placed or stored on said property. No accumulation of discarded personal effects, debris, waste, garbage or any unsightly objects or matter will be permitted on property.
7. That said property must conform to local zoning regulations.
8. Buyer will keep the property in a clean, sanitary and sightly condition, and in compliance with all laws or regulations imposed by any governmental authority having jurisdiction over any property for the care, safety, health and upkeep of real estate.
9. That Buyer will not nor will Buyer permit the storage of refuse, trash or hazardous materials on said property nor may the property be used as a dump or landfill site.
10. Any residence erected on the property must have the exterior completed within six (6) months. The exterior must be constructed with new material. All exterior must be finished in earthtones only (i.e. browns, grays). No white or white variations will be permitted.

11. Before occupancy of any house or manufactured house, a sewage disposal system must be installed in conformity with the minimum standards required by the County Board of Health.

12. Single-wide mobile homes are prohibited and shall not under any circumstances be placed on the property as a temporary or permanent structure. Double-wide mobile homes are permissible so long as placed in a manner to be consistent with the outside appearance of a permanent structure and will include concrete footing with block and brick underpinning.

13. No tent, camper, school bus nor recreational vehicle will be used as a permanent residence nor shall any other temporary residence be used for longer than thirty (30) days.

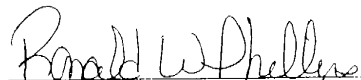
14. Where protective covenants and County or Township zoning ordinances are in conflict, the stricter requirement will prevail.

15. Invalidation of any of these covenants by judgement of court order will in no way affect any of the other provisions, which will remain in full force and effect.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging unto the said GRANTEE forever; and the said GRANTORS covenant with the GRANTEE that they are lawfully seized and possessed of said land in fee simple; have a good and lawful right to convey same, and that the same is unencumbered.

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

WITNESS OUR HANDS on this day and date first above written.


Ronald W. Phillips by Amy Leigh Phillips
through a Power of Attorney executed on
September 16, 2005 and recorded on
September 19, 2005 and is recorded in the
Register of Deeds Office for Overton County,
Tennessee in Record Book 4, Page 917.


Amy Leigh Phillips

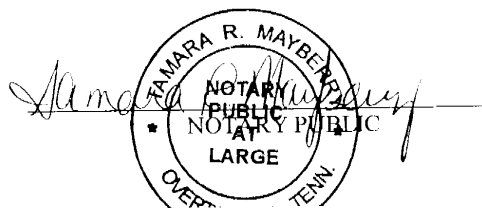
STATE OF TENNESSEE
COUNTY OF OVERTON

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named bargainers, Ronald W. Phillips by Amy Leigh Phillips through a Power of Attorney executed on September 16, 2005 and recorded on September 19, 2005 and is recorded in the Register of Deeds Office for Overton County, Tennessee in Record Book 4, Page 917 and wife, Amy Leigh Phillips, with whom I am personally acquainted, and who acknowledged the execution of the foregoing instrument for the purposes therein contained.

Witness my hand and official seal of office in Livingston, Tennessee on this the
17th day of October, 2005.

My Commission Expires: 10/13/07

(tm/wp9/re/rphillips-brier.wd)



Franklin D. "Peck" Smith, Register
Overton County
Rec #: 1200 Instrument #: 1649
Rec'd: 15.00 Recorded
State: 92.50 10/18/2005 at 3:14 PM
Clerk: 1.00 in Record Book
EDP: 2.00 6
Total: 110.50 Pgs 595-597