

THIS INSTRUMENT PREPARED BY:
D. NATHANIEL SPENCER, ATTORNEY
P.O. BOX 865, 28 S. WASHINGTON AVENUE
BROWNSVILLE, TENNESSEE 38012

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That WE, JAMES E. OSWALD and wife, JANE OSWALD, for and in consideration of ten (\$10.00) Dollars cash in hand paid, and their good and valuable considerations, the receipt of which is hereby acknowledged, we have this day bargained and sold and by these presents do hereby bargain, sell, transfer and convey unto JOEL S. FINCHER and wife, BONNIE W. FINCHER, as tenants by the entirety, their heirs and assigns, the following described tract or parcel of land, situated, lying and being in the 7th and 3rd Civil Districts of Haywood County, Tennessee, and more particularly described as follows, to-wit:

LOT NO. 1: BEGINNING at a stake in the Bond Ferry Road, runs north 60-1/2 degrees east with said road 58.52 poles to a stake in the east boundary line of the original tract; thence south 212.88 poles with the west boundary line of a 60 acre tract sold by William Kinney to John Venus Bond, to a stake, passing the southwest corner of a 60 acre tract and to William Kinney's northeast corner on his Hotchkiss tract; thence west with his north line 50.22 poles to a stake in Duck Pond with two post oak pointers; thence north 186.7 poles to the beginning, and containing 62-1/2 acres, more or less.

BEING the same tract or parcel of land conveyed to James E. Oswald and wife, Betty J. Oswald by deed of Martin L. Thomas and wife, Pearl M. Thomas as recorded in Deed Book 132, page 588, Register's Office, Haywood County, Tennessee.

LOT NO. 2: BEGINNING at a point in the center of the Covington-Stanton Road at a painted cross in the center of a bridge; thence along the center of said Covington-Stanton Road with the following calls: north 61 degrees 00 minutes 00 seconds east 799.00 feet; north 61 degrees 00 minutes 00 seconds east 206.44 feet; north 77 degrees 23 minutes 00 seconds east 165.00 feet; north 82 degrees 34 minutes 00 seconds east 300.00 feet to a cotton spindle found at the northwest corner of a one acre lot; thence south 01 degree 12 minutes 00 seconds east 371.00 feet along the west line of said one acre lot to an iron pin set at the southwest corner of said lot; thence south 34 degrees 23 minutes 12 seconds east 142.36 feet to a blazed sweet gum tree (iron pin set on south side); thence south 979.70 feet to an iron pin set; thence west 1426.05 feet to a corner stake found; thence north 905.81 feet along an old blazed line to the point of beginning, containing 40.46 acres, more or less according to survey made by Walter R. Powell, Surveyor, on June 29, 1977.

HAYWOOD CO REAL ESTATE TRANSFER

Date 1/22 1977
DARET T. SIMPSON, ASSESSOR
By Deed & Transfer
Dist 07 Map 96 Gr 1 Par 1
03 118 1404

Said tract or parcel of land is a part of an portion of the 80 acre tract conveyed to Emery Williams by Willie Williams, Jr. et al by deed of record in Deed Book 86, page 144, Register's Office, Haywood County, Tennessee.

It is understood and agreed that the grantors reserved an easement for roadway purposes in the Deed conveyance to James and Jane Oswald, said easement being 40 feet in width along and the west side and south side of the above described tract or parcel of land. Said 40 foot easement commences at the northwest corner of the above described 40.46 acre tract and extends south 905.81 feet along the west side of said 40.46 acre tract to the southwest corner thereof; and thence east along the south side of said tract a distance of 726.26 feet to a stake or point 40 feet east of the northwest corner of a tract of land of 24.21 acres, more or less, sometimes referred to as 20.11 acres, more or less, known as the R.L. Maclin tract now owned by the said Emery Williams, et al.

BEING the same lot or parcel of land conveyed to James Oswald and wife, Jane Oswald by deed of Emery Williams and wife, Minnie L. Williams as recorded in Deed Book 137, page 49, Register's Office, Haywood County, Tennessee.

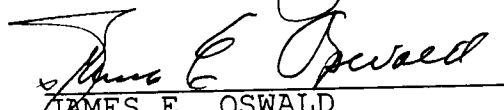
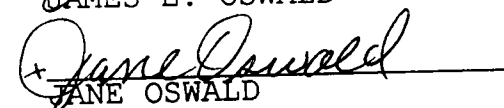
This lot is shown in the Property Assessor's Office as Map _____, GR. _____, Parcel _____.

TO HAVE AND TO HOLD said tract or parcel of land unto the said JOEL S. FINCHER and wife, BONNIE W. FINCHER, as tenants by the entirety, their heirs and assigns, in fee simple forever.

We covenant with the said JOEL S. FINCHER and wife, BONNIE W. FINCHER, as tenants by the entirety, that we are lawfully seized and possessed of said above described tract or parcel of land; that we have a good and lawful right to sell and convey the same and that the same is unencumbered except as to any exceptions contained in this instrument, if any.

We further covenant and bind ourselves, our heirs and future representatives, to forever warrant and defend the title to said tract or parcel of land against the lawful claims of all persons whomsoever, except as to any exceptions herein described in this deed, if any.

WITNESS our hands on this the 22 day of Jan, 1999.


JAMES E. OSWALD

JANE OSWALD

STATE OF TENNESSEE
COUNTY OF HAYWOOD

PERSONALLY appeared before me, the undersigned official, a Notary Public in and for said state and county, JAMES E. OSWALD and wife, JANE OSWALD, the within named bargainers, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who upon oath acknowledged that they executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal, at office, this 21st day of January, 1998.

My Commission Expires: 9-23-97

NOTARY PUBLIC

STATE OF TENNESSEE
COUNTY OF HAYWOOD

I or We hereby swear and affirm that the actual consideration or value of the property transferred, whichever is greater, is \$ 73,000.00.

Joel S. Fincher

AFFIANT

SUBSCRIBED AND SWORN to before me, this the 21st day of January, 1998.

My Commission Expires: 9-23-97

NOTARY PUBLIC

SEND TAX NOTICES TO:
JOEL S. FINCHER, et ux

325 Fincher Rd.

Brownsville, TN 38012

HALLS, TN 38040

STATE OF TENNESSEE, HAYWOOD COUNTY

The foregoing instrument and certificate were noted in

Note Book 29, Page 210 at 8:30 o'clock A M 1-23 19 97

and recorded in Deed Book 276 Series 1 Page 306

State Tax Paid \$70.00 Fee 1.00 Recording Fee 12.00 Total \$ 283.00

Witness My hand.

Receipt No. _____

Steve Sizemore

Register

see
20268