

WARRANTY DEED

BK 0326 PG 0549

THIS INDENTURE, made and entered into this 14th day of November, 1997, by and between:
MARK ANTHONY SCHMAUTZ, AN UNMARRIED PERSON party of the first part, and

KENNETH WAYNE WARE AND WIFE, REGINA WARE party of the second part,

WITNESSETH: for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in HORN LAKE County of DESOTO, State of Tennessee:

Lot 565, Section B, South half of DeSoto Village Subdivision, in Section 33, Township 1 South, Range 8 West, in DeSoto County, Mississippi, as shown by the plat recorded in Plat Book 8, Pages 16-19, in the office of the Chancery Clerk of DeSoto County, Mississippi.

This being the same property conveyed to Grantor herein by Quit Claim Deed of record at Book 278, Page 142, of record in the office of the Chancery Clerk of DeSoto County, Mississippi.

TO HAVE AND TO HOLD The aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, its heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, EXCEPT FOR 1998 City of Horn Lake and DeSoto County real property taxes, being liens not yet due and payable, and Subdivision Restrictions, Building Lines and Easements of record in Plat Book 8, Pages 16-19, of record in the office of the Chancery Clerk of DeSoto County, Mississippi.

Grantor's Name: Mark Anthony Schmautz
Grantor's Address: N/A
Grantor's Work: N/A
Grantor's Home Number: 901-280-3021

Grantors Name: Kenneth Ware and Regina
Grantors Address: 6296 Tulane Road
Grantors Work #: 800-766-5825
Grantors Home #: 901-357-8357

and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if it refers to more than one person or entity, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the party of the first part the day and year first above written.

STATE MS.-DESOTO CO.

DEC 19 2 33 PM '97

MARK ANTHONY SCHMAUTZ

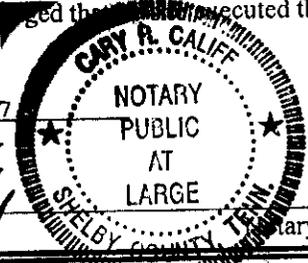
BK 326 PG 549

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for the State and County, duly commissioned and qualified, personally appeared MARK ANTHONY SCHMAUTZ, AN UNMARRIED PERSON to me known to be the person described in and who executed the foregoing instruments, and acknowledged the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at the office _____ November 14th, 1997

My commission expires _____



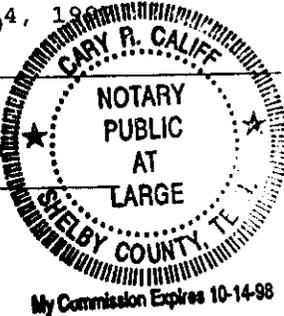
(FOR RECORDING DATA ONLY)

I, or we, hereby swear or affirm that, to the best of Affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$*****46,000.00, which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Mark Anthony Schmautz
Affiant

Subscribed and sworn before me on this
November 14, 1997

Notary Public
My Commission Expires: _____



Mail Tax Bills to:
First Commercial Mortgage Co.
6263 Poplar Avenue
Memphis, TN 38119
Tax Parcel ID Number: 1088-3301.1-00565.00

Property Address:
6296 TULANE ROAD
HORN LAKE MS 38637

This instrument prepared by and return to:
Fearnley & Califf, PLLC
6389 Quail Hollow Road, Suite 202
Memphis, Tennessee 38120
901-767-6262
Case Number: 97100237

Property Owner & Address:
KENNETH WAYNE WARE
6296 TULANE ROAD
HORN LAKE
MS
38637

My Commission Expires 10-14-98