file 4 cmc

MLSWP93 03/24/88 kad

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS (NFS)
2700 First American Center
Nashville, Tennessee 37238

GENERAL WARRANTY DEED
DEED OF CORRECTION

BOOK 7499 PAGE 855

Address New Owner(s)	Send Tax Bills To	Map-Parcel Number(s)
James Francis Gallivan and wife, Joan Fisch Gallivan #4 Foxhall Close Nashville, TN 37205	Same	117-09A-4

MAR 25 10 56 AM '88

115 7.8.3

Send tax bills to: Owner X
Mortgagee _____

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, ROBERTA D. LOCHTE (unmarried), as surviving tenant by the entirety ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto JAMES FRANCIS GALLIVAN and wife, JOAN FISCH GALLIVAN ("Grantees"), their heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Unit No. 4 on the Plan of Foxhall Close, a Planned Residential Development, of record in Book 4860, page 46, amended by instruments of record in Book 5005, page 136, and Book 5380, page 122 and Book 5839, page 610, said Register's Office to which reference is here made for a more complete description.
>
> Being the same property conveyed to Henry F. Lochte and wife, Roberta D. Lochte by deed from Foxhall Land Company of record in Book 4960, page 524, Register's Office for Davidson County, Tennessee, the said Henry F. Lochte having since died.

Said property is conveyed subject to the matters as described on Schedule A, which is incorporated herein and made a part hereof. *

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title, and interest thereto belonging to Grantees, their heirs and assigns, forever. Grantor covenants that, subject to the matters set forth above, Grantor is lawfully seized and possessed of said land in fee simple, has good right to convey it, and that same is unencumbered.

Grantor further covenants and binds herself and her heirs and representatives, to warrant and forever defend the title to said land to Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever except claims arising out of the matters set forth above.

WITNESS our hands this 1st day of March 1988.

*Deed of Correction is hereby recorded for purpose of correcting signature on original Warranty Deed recorded in Book 7480, page 723, Register's Office for Davidson County, Tennessee.

Roberta D. Lochte
ROBERTA D. LOCHTE

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before, the undersigned, a Notary Public in and for the State and County aforesaid, Roberta D. Lochte, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that ~~they~~ she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 1st day of March, 1988.

Connie Cartwright
Notary Public

My Commission Expires:
10/24/88

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property conveyed (whichever is greater) is $364,000.00.

Affiant

Sworn to and subscribed before me this 1st day of March, 1988.

Connie Cartwright
Notary Public

My Commission Expires:
10/24/88

SCHEDULE A

1. Taxes for 1988, a lien, but not yet due and payable.

2. Foxhall Close Co-Operative Corporation Declaration of Minutes, Resolution and Agreement of record in Book 5792, page 781, Register's Office for Davidson County, Tennessee.

3. Foxhall Close Co-Operative Corporation Declaration of Minutes and Action Approving and Ratifying Certain Encroachments on the common area and amending the Declaration of Restrictions of record in Book 5832, page 378, said Register's Office.

4. Easement for sanitary sewers and/or storm drainage of record in Book 6897, page 51, said Register's Office.

5. This property was made subject to the Declaration of Covenants, Conditions, and Restrictions, including liens, all as set forth in an instrument of record in Book 4954, page 586, amended in Book 5875, page 873, said Register's Office, and is subject to the By-Laws of Foxhall Close Co-Operative Corporation, the Charter of which has been recorded in Book 5147, Page 812, said Register's Office, and in Volume 0-31, page 2205, of the Secretary of State's Office.

6. The Plan of record in Book 4860, page 46, said Register's Office, shows an Owner's Certificate, certain easements for public utility and drainage purposes, including easements within the boundaries of the Site Plan of Foxhall Close, of record in Book 3401, page 545, Book 3947, page 20, and Book 4844, page 826, said Register's Office, and said Certificate provides a prohibition respecting the alteration or change of the Plan unless approved by the Metropolitan Planning Commission, and the Metropolitan Board of Zoning Appeals and the following reservation:

   "Easements for ingress and egress are reserved hereby upon all access easements as shown hereon, or upon any approved revision hereof, for the benefit of the purchasers of individual sites within the development, their invitees, lessees and other parties claiming by, through or under them. The access easements shown hereon are reserved by the aforesaid owner and are not dedicated to the public." Said Plan also shows a table of floor areas and lot coverages which has been amended by an instrument of record in Book 5005, page 136, Book 5839, page 610, Book 5380, page 122, said Register's Office. The Lot (or building site) on the aforesaid Plan provides for minimum building setback lines of 20 feet along the southerly and easterly lot lines and 10 foot gas easement on the lot as shown on said Plan.

7. Conveyance of watermain from Foxhall Land Company, to Metropolitan Government of Nashville and Davidson County, as of record in Book 5016, page 553, Register's Office for Davidson County, Tennessee.

8. Conveyance of sewer line from Foxhall Land Company to Metropolitan Government of Nashville and Davidson County, Tennessee, as of record in Book 5016, page 577, Register s Office for Davidson County, Tennessee.