WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF WILLIAMSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 128,778.15

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 16th DAY OF October, 2000.

Notary Public

My Commission Expires: _____
(AFFIX SEAL)

TRICIA L. NIEMI
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 28, 2002

Davidson County DEEDWARR
Recvd: 10/20/00 10:14 2pgs
Fees:11.00 Taxes:476.48

20001020-0104081

THIS INSTRUMENT WAS PREPARED BY
SETTLEMENT SERVICES OF TENNESSEE, LLC, 121 FIRST AVE. SUITE 210, FRANKLIN, TENNESSEE 37064 (615) 591-1156

Address of New Owners As Follows:
Fox Ridge Homes, INC.
5115 Maryland Way, Suite 300
Brentwood, TN 37027

Send Tax Bills To:
SAME

Map Parcel No.
Map 135-12-0-B
Parcels 33, 34,35,36 & 37

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, We, **WDN PROPERTIES, LTD.,** hereinafter called Grantor have bargained and sold, and by these presents do transfer and convey unto **FOX RIDGE HOMES, INC.,** hereinafter called Grantee, their heirs and assigns, a certain tract or parcel of land in DAVIDSON COUNTY, STATE OF TENNESSEE, described as follows, to-wit.

Being Lot No.(s) 33, 34, 35, 36 and 37 on the plan of a Horizontal Property Regime, Private Element Plat, Nashboro Village- Tract 7 of record in Book 11700, pages 49 and 50, which amends the plat of record in Book 4660, page 156, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to WDN Properties, LTD, by warranty deed from Nashboro Villages, LLC of record in Book 10307, Page 82, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Taxes for the year 2001, a lien which are not yet due and payable.

Subject to the Plan of record in Book 11700, pages 49 and 50, and also in Book 4660, page 156, Register's Office for Davidson County, Tennessee.

Subject to the Declaration of Covenants, Conditions, and Restrictions For Fairway Pointe Homeowners Association, Inc., of record in Book 11703, page 520; and in Book 4827, page 14; and in Book 5469, page 840; and in Book 7751, page 907, and in Instrument No. 200003160027171 AND IN Instrument No. 200006270063887, Register's Office for Davidson County, Tennessee.

Subject to the By-laws of Fairway Pointe Homeowners Association, Inc., of record in Book 11703, page 560, Register's Office for Davidson County, Tennessee.

Subject to a Memorandum of Lease of record in Book 10690, page 327, Register's Office for Davidson County, Tennessee.

Subject to Homeowner's Association Charter of record in Book 11703, page 518, Register's Office for Davidson County, Tennessee.

Subject to any and all exceptions as set out in plat of record in Book 8870, page 887,Register's Office for Davidson County, Tennessee.

Easements of record in Book 4868, page 74, and in Book 4815, page 425, Register's Office for Davidson County, Tennessee.

Easement for Cart Path of record in Book 10110, page 860, Register's Office for Davidson County, Tennessee.

Public R-O-W Dedication of Record in Book 4460, pages 149-151, Register's Office for Davidson County, Tennessee.

Judgement of Declaration of Taking for J. Percy Priest Dam of Record in Book 4254, page 410, Register's Office for Davidson County, Tennessee.

Quitclaim of Common Area of record in Instrument No. 200010100100360, Register's Office for Davidson County, Tennessee.

All existing and recorded easements, rights of way and restrictions, all zoning regulations, building restrictions and setback lines, if any, and easements or right of ways for public utilities.

unimproved: (X)
This is improved: ( ) property, known as **Lots 33, 34, 35, 36 and 37 Nashboro Village- Tract 7 Nashville, TN 37217**

NS 2918

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all person whomsoever claiming by, through or under Grantor, but not otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness MY HAND 16th day of October, 2000.

WDN PROPERTIES , LTD.

BY: OLY HIGHTOP SUBSIDARY GP LLC
A Delaware Limited Liability Company,
It's General Partner

BY: Oly Hightop Parent GP, LLC
A Delaware Limited Liability Company, It's Manager

BY _____
Robin K. Minick
It's Senior Vice- President

STATE OF Texas

COUNTY OF Dallas

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared Robin K. Minick, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Senior Vice-President of OLY HIGHTOP PARENT GP, LLC, THE MANAGER OF OLY HIGHTOP SUBSIDARY GP LLC, The General Partner of WDN Properties, Ltd., the within named bargainors, and that she as such Senior Vice-President of OLY HIGHTOP PARENT GP, LLC, THE MANAGER OF OLY HIGHTOP SUBSIDARY GP LLC, The General Partner of WDN Properties, Ltd., executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by herself as Senior Vice-President of OLY HIGHTOP PARENT GP, LLC, THE MANAGER OF OLY HIGHTOP SUBSIDARY GP LLC, The General Partner of WDN Properties, Ltd.

Witness my hand and official seal this 16th day of October, 2000.

Yolanda D. Nuncio
Notary Public

My commission expires: 3-20-04

