SIDWELL & BARRETT, P.C.
121 1st Avenue South, Suite 200
Franklin, TN 37064

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $120,000.00.

Affiant

Sworn to and subscribed before me, the undersigned, a Notary Public this 30th day of September, 2002.

Notary Public

My Commission Expires: 11-22-05

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY
Sidwell, Barrett & McCann, P.C.
121 First Avenue South
Suite 200
Franklin, TN 37064

Davidson County DEEDWARR
Recvd: 10/02/02 10:52 2pgs
Fees:13.00 Taxes:444.00
20021002-0119728

ADDRESS NEW OWNER(S) AS FOLLOWS:
Ruth Wharton
737 Tulip Grove Road, Unit #205
Hermitage, Tennessee 37076

SEND TAX BILLS TO:
NEW OWNER

MAP-PARCEL NUMBERS:
Map\Parcel 75-12-C-23

For and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid by the Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Diane M. Yates, unmarried** hereinafter referred to as Grantors, hereby transfers and conveys to **Ruth Wharton** hereinafter referred to as Grantees, their heirs and assigns a certain tract or parcel of land in Davidson County, State of Tennessee described as follows, TO WIT:

Land in Davidson County, Tennessee, being Lot & Unit No. 205, (Parcel #23), Building No. 2, as shown on the "Brookside Park (Villa) Townhomes, Phase Two, A Horizontal Property Regime with Private Elements", of record in Instrument No. 200010100100359, 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 Diane M. Yates, unmarried by Warranty Deed from NVR Inc., a Virginia Corporation, trading as Fox Ridge Homes, of record in Instrument No. 20011017-0113211, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

Taxes for the year 2002, and subsequent years, a lien not yet due and payable.

The Plan of record in Instrument No. 200010100100359, Register's Office for Davidson County, Tennessee.

Declaration of Covenants, Conditions and Restrictions of record in Book 11653, Page 251, as amended by Instrument No. 200007180070532, and by Instrument No. 200102120013362, By-Laws of record in Book 11653, Page 273, Register's Office for Davidson County, Tennessee.

Easement to Metro Government of record in Book 11653, Page 248, Register's Office for Davidson County, Tennessee.

Charter of Brookside Park Townhouse Corporation of record in Book 11653, Page 248, Register's Office for Davidson County, Tennessee.

According the public records of Davidson County, Tennessee, property located at 737 Tulip Grove Road, #205, Hermitage, TN 37076, has been owned by Diane M. Yates since October 12, 2001. NVR, Inc, a Virginia corporation, trading as Fox Ridge Homes, owned said property from July 3, 2001 to October 12, 2001.

Subject to the lien for special assessments as contained in the Declaration of Covenants, Conditions and Restrictions.

Subject to the rights of others in and to the common areas/elements.

Any and all visible easements lying on or across the property.

Rights or claims of parties in possession not shown by the public records.

Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.

County and/or City taxes for the year 2002, a lien not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with the GRANTORS paying their prorata share thereof to GRANTEES who will be responsible for payment of said taxes.

This is improved property known as 737 Tulip Grove Road, Unit #205, Hermitage, Tennessee 37076.

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 I do covenant with the said **GRANTEES** that I am 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 I do further covenant and bind myself, my 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 persons whomsoever. 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 this 30th day of September, 2002.

Diane M. Yates

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Diane M. Yates, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged they executed the forgoing instrument for the purposes therein contained.

Witness my hand and official seal this 30th day of September, 2002.

Notary Public

My Commission Expires: 11/20/05

06249-MD