WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF WILLIAMSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 125,900.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 16 TH. DAY OF DECEMBER, 2002.

Notary Public

My Commission Expires: 7/5/06
(AFFIX SEAL)

HENRY E. RAGLE IV NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TENN.

Davidson County DEEDWARR
Recvd: 12/20/02 13:02 2pgs
Fees:13.00 Taxes:465.83

20021220-0157546

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:
ROBERT P. SMITHWICK II
1549 Indian Meadows Drive
Franklin, Tn 37064

Send Tax Bills To:
PHH Mortgage Services
300 Leadenhall Road
Mount Laurel, N.J. 08054

Map Parcel No.
135-05-O-A-PARCEL 62

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, **NVR, INC., A VIRGINIA CORPORATION, TRADING AS FOX RIDGE HOMES,** hereinafter called Grantor have bargained and sold, and by these presents do transfer and convey unto **ROBERT P. SMITHWICK II, a single man,** hereinafter called 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 No. 67 as shown on the Bayview Estates, Phase Two (a Planned Unit Development) of record in Instrument No. 200006090057633, Register's Office for Davidson County, Tennessee, to which plan is hereby referenced for a more complete and accurate legal description.

Being part of the same property conveyed to NVR, INC., A Virginia Corporation, Trading As Fox Ridge Homes by special warranty deed from Bayview Venture, LLC, a Tennessee limited liability company, of record in Instrument No. 20010614-0062856, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Taxes for the year 2003, a lien which is not yet due and payable.

All matters of record in Book 9700, page 517 and Instrument No. 200006090057633, Register's Office for Davidson County, Tennessee.

Restrictive covenants contained in an instrument of record in Book 10323, page 55; Book 10727, page 268; Book 11019, page 911; Book 11251, page 126; and in Book 11271, page 163, Register's Office for Davidson County, Tennessee.

By-Laws of record in Book 10323, page 86, Register's Office for Davidson County, Tennessee.

Landscape Agreement as set out in Book 10339, Page 298, Register's Office for Davidson County, Tennessee.

Easements of record in Book 3708, page 237; Book 7830, page 233; Book 10085, page 576; and in Book 10339, page 233, Register's Office for Davidson County, Tennessee.

Easement for Bell South of Record in Book 11762, page 271, Register's Office for Davidson County, Tennessee.

Quitclaim Deed of Common Areas in Instrument No. 200007100068261, Register's Office for Davidson County, Tennessee.

Conveyance of common area to Bayview Homeowners Association of record in Instrument No. 200007100068261 and Instrument No. 20020104-0001404, Register's Office for Davidson County, Tn.

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.

Thi s is improved" (X) property, known as: **3032 Harbor Lights Drive, Nashville, Tn 37217.**

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. 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 DECEMBER, 2002.

NVR, INC., a Virginia Corporation, trading as Fox Ridge Homes

BY: _____
Kevin Martin, Division Manager

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally came Kevin Martin, Division Manager, with whom I am personally acquainted and who upon her oath(s) acknowledged himself to be the Division Manager respectively of NVR, Inc., a Virginia corporation, trading as Fox Ridge Homes, the within named bargainor, and corporation, and that he as such Division Manager being authorized so to do, execute the foregoing instrument for the purpose therein contained by signing the name of the corporation, by the said Kevin Martin as such Division Manager, and attesting the same of the corporation, by the said Kevin Martin as such Division Manager.

WITNESS my hand and notarial seal at my office at Brentwood, Tennessee, this 16TH day of DECEMBER, 2002.

NOTARY PUBLIC AT LARGE
WILLIAMSON COUNTY, TENNESSEE

My Commission expires: 9/16/06