# WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF WILLIAMSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $24,500.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 30th DAY OF June, 2003.

Notary Public

My Commission Expires: Jan. 31, 2007
(AFFIX SEAL)

Davidson County DEEDWARR
Recvd: 07/08/03 14:35 2pgs
Fees:13.00 Taxes:90.65
20030708-0093938

**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: | Send Tax Bills To: | Map Parcel No. |
|---|---|---|
| NVR, Inc. T/A Fox Ridge Homes<br>5115 Maryland Way, Suite 300<br>Brentwood, Tn 37027 | SAME | 058-09-0-A PARCEL 46 |

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, EATON'S CREEK REAL ESTATE INVESTORS FUND, LLC., a Tennessee limited liability company, a/k/a EATON'S CREEK PARK REAL ESTATE INVESTORS FUND, LLC, hereinafter called "Grantor" have bargained and sold, and by these presents do transfer and convey unto NVR, INC., A VIRGINIA CORPORATION, TRADING AS FOX RIDGE HOMES, 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. 31 on the Plan of CREEKSIDE TRAILS - Phase 2 of record as Instrument Number 20000426-0041282 as amended in Instrument Number 20020709-0082562, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being part of the same property conveyed to Eaton's Creek Real Estate Investors Fund, LLC, by warranty deed from Affordable Housing Resources, Inc., of record in Book 10996, page 941, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Taxes for the year 2003 and subsequent years, a lien which are not yet due and payable.

All matters on the Plan of Creekside Trail, Phase 2 of record in Instrument #20000426-0041282 as amended in Instrument Number 20020709-0082562, Register's Office for Davidson County, Tennessee.

Restrictive covenants contained in an instrument of record in Instrument No. 20000915-0092002; Supplement amendment of record in Instrument No. 20011025-0117168 and Second Supplement amendment of record in Instrument No. 20020828-0103983, Register's Office for Davidson County, Tennessee.

Subject to Charter of Eaton's Creek Park Homeowners Association of record as Instrument No. 20011126-0128291, Register's Office for Davidson County, Tennessee.

Subject to Charter of Eaton's Creek Park Real Estate Investors Fund, LLC of record in Book 10871, Page 532, Register's Office for Davidson County, Tennessee.

Easements for water mains and appurtenances of record in Book 6255, page 578, Register's Office for Davidson County, Tennessee.

Easement for sanitary sewers and/or storm drainage of record in Book 8326, page 230, Register's Office for Davidson County, Tennessee.

Subject to Storm Water Detention Agreement of record as Instrument No. 20001011-0100954, Register's Office for Davidson County, Tennessee.

Subject to the flow of Eaton's Creek and branches thereof.

No insurance is offered those portions of the premises enclosed within the bounds of Eaton's Creek Road.

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

Subject to Temporary Construction Easements as set forth in Consent Judgment and Final Decree under Circuit Court for Davidson County, Tennessee, Docket No. 90C-3345.

Subject to lien for special assessments as contained in the restrictions.

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 Lot 31, Creekside Trails, Phase 2, Davidson County, TN

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 30th day of June, 2003.

Eaton's Creek Real Estate Investors Fund, LLC
a/k/a Eaton's Creek Park Real Estate Investors Fund, LLC

BY: _____
John A. Beam, III
Title: Chief Manager

STATE OF Tennessee

COUNTY OF Davidson

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared John A. Beam, III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is a Chief Manager of Eaton's Creek Real Estate Investors Fund, LLC, a Tennessee limited liability company, the maker, and is authorized by the maker to execute this instrument on behalf of the maker.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of June, 2003.

_____
Notary Public

My commission expires: Jan 31, 2004

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN