Bov 36

Davidson County DEEDWARR
Recvd: 04/22/04 14:18 2pgs
Fees:13.00 Taxes:194.25

20040422-0045849

RECORD & RETURN TO:
FILE BOX 36, Davidson County

# WARRANTY DEED

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $52,500.00.

*Affiant*

Subscribed and sworn to me on April 21, 2004.

NOTARY PUBLIC

NOTARY PUBLIC AT LARGE
Richard W. Sebastian
My Commission Expires
March 22, 2008
STATE OF TENNESSEE

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Sebastian
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #19974SP

| NAME/ADDRESS OF NEW OWNER: | SEND TAX BILLS TO: | MAP – PARCEL # |
|---|---|---|
| Triumph Construction, LLC<br>P.O. Box 2182<br>Brentwood, TN 37024 | SAME | 173-9-A-138 CO |

**FOR AND IN CONSIDERATION** of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Lenox Village II, LLC, a Tennessee Limited Liability Company, hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto Triumph Construction, LLC, a Tennessee Limited Liability Company, hereinafter called **"GRANTEE,"** its heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Lot No. 218 on the plan of Section One, Lenox Village II, of record as Instrument No. 20030106-0001756, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description.
>
> Being the same property conveyed to Lenox Village II, LLC, a Tennessee limited liability company by deed from Hurley-Y, a Tennessee General Partnership, dated April 3, 2002 and recorded as Instrument No. 20020404-0041445, Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2004 Davidson County taxes which have been prorated by the parties and assumed by the Grantees; and
2. Terms, conditions, easements, rights and liens as set forth in the Declaration of Covenants, Conditions and Restrictions for Lenox Village of record in Instrument No. 20020315-0032826, as amended in Instrument No. 20021226-0158458, Register's Office for Davidson County; and

3. Matters shown on plan of record as Instrument No. 20030106-0001756, Register's Office for Davidson County, Tennessee; and
4. Easement for sanitary sewers and/or storm drainage of record as Instrument No. 20010918-0100850 and Instrument No. 20010918-0100582, Register's Office for Davidson County, Tennessee; and
5. Storm water detention agreement of record as Instrument No. 20020722-0087469 and Instrument No. 20020628-0078164, Register's Office for Davidson County, Tennessee; and
6. Charter of Lenox Village Neighborhood Association, Inc., of record as Instrument No. 20020412-0045831, Register's Office for Davidson County, Tennessee; and
7. Easement for the flow of waters of an unnamed tributary of Mill Creek and the rights of the public therein; and
8. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.

This property is also known as improved property located at 613 Sitting Mill Court, Nashville, TN 37211.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR does covenant with the said GRANTEE that its is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the said GRANTEE, its successors 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** our hands on April 21, 2004.

**Lenox Village II, LLC, a Tennessee Limited Liability Company:**

**By:** _____

**Title:** _____

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned authority, of the State and County aforesaid, personally appeared DAVID C. McCOMB JR., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged himself/herself to be the Chief Mgr of LENOX VILLAGE II, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, the within named bargainor, and that he as such Chief Mgr executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Mgr.

Witness my hand, at office, this 21st day of April, 2004.

_____
Notary Public

My commission expires: 3/22/08

NOTARY PUBLIC AT LARGE
Richard W. Sebastian
My Commission Expires March 22, 2008
STATE OF TENNESSEE