# WARRANTY DEED

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 164,707.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 2nd July, 2004

Notary Public

My Commission Expires: 11.22.05
(AFFIX SEAL)

Davidson County DEEDWARR
Recvd: 07/12/04 13:59 2pgs
Fees:13.00 Taxes:609.42
20040712-0082679

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

RONALD R. BARRETT JR. NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

| Address of New Owners as Follows: | Send Tax Bills To: | Map-Parcel No. |
|---|---|---|
| Cheryl Hogg SEAY<br>1009 Rambling Brook Road<br>Nashville, TN 37218 | NovaStar Mortgage Inc.<br>888 W. Big Beaver Rd.<br>Ste 1290<br>Troy, MI 48084 | 58-9-D-A-20.00 |

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good valuable consideration, the receipt of which is hereby acknowledged, We, **NVR, Inc., a Virginia Corporation T/A Fox Ridge Homes**, hereinafter called Grantor have bargained and sold, and by these presents do transfer and convey unto **Cheryl Hogg SEAY, unmarried**, 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.

Being Lot 20, as shown on the plan of CREEKSIDE TRAILS Phase I of record in InstrumentNo. 2001026-0106269 and as amended in Instrument No. 20021210-0152343, 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 vested in NVR Inc. A Virginia Corporation t/a Fox Ridge Homes by Warranty Deed from Shelby M. Smith, of record in Instrument No. 20040422-0045826, Register's Office for Davidson County, Tennessee dated April 15, 2004.

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 1 of record in Instrument #20001026-0106269 and as amended by Instrument No. 20021210-0152343, and on Plan of Creekside Trails, Phase 2 of record in Instrument No. 20000426-0041282 and as amended in Instrument No. 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 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 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.

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: ( )
This is improved: (X) property, known as: **1009 Rambling Brook Road, Nashville, TN 37218**

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 2nd day of July, 2004.

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 2nd day of July, 2004.

NOTARY PUBLIC

NOTARY PUBLIC AT WILLIAMSON COUNTY, TENNESSEE ASHLEY BROOK CREWS

My Commission expires: 9/16/06