WARRANTY DEED

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 174,497.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 31st August, 2004

Notary Public

My Commission Expires: 10.18.04

(AFFIX SEAL)

JACKSON M. WELCH, JR. NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TENN.

Davidson County DEEDWARR
Recvd: 09/02/04 14:42 2pgs
Fees:13.00 Taxes:645.64
20040902-0106566

THIS INSTRUMENT WAS PREPARED BY

SETTLEMENT SERVICES OF TENNESSEE, LLC, 121 FIRST AVENUE, SOUTH, SUITE 210 FRANKLIN, TENNESSEE 37064 (615) 591-1156

Address of New Owners as Follows:
Eric BIREN
3309 Tinney Place
Nashville, TN 37217

Send Tax Bills To:
NVR Mortgage Finance, Inc.
121 Hillpointe Dr., Suite 100
Canonsburg, PA 15317

Map Parcel No.
136-05-1-A-136.00CO

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 **Eric G. BIREN, 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 85, shown on The Enclave at BAYVIEW Estates (formerly known as Bayview Estates), Phase Five, of record in Instrument No. 20040325-0033733, 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 NVR, Inc., t/a Fox Ridge Homes, by deed from Bayview Venture, LLC., a Tennessee Limited Liability Company, of record in Instrument No. 20040610-0068865, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Taxes and assessments for the year 2004, and subsequent years, which are a lien and not yet due and payable.

All matters of record in Instrument No. 20030703-0092328, 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, and Instrument No. 20020104-0001403 and in Instrument No. 20030625-0087233, 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 Areas in Bayview, LLC to Bayview Homeowners Association of record as Instrument No. 200007100068261, and as Instrument No. 20020104-0001404, Register's Office for Davidson County, Tennessee.

Lien for special assessments as set forth in the Restrictions for Bayview.

Rights of others in and to the common areas and elements of Bayview.

Subject to matters on the Plan of record in Instrument No. 20040325-0033733, Register's Office for Davidson County, Tennessee.

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: **3309 Tinney Place, 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 **31ST** day of **AUGUST**, 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 **31ST** day of **AUGUST**, 2004.

NOTARY PUBLIC

NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TENN.

My Commission expires: 9/14/04