File #200491256

When recorded return to:
The Home Closing Company, Inc.
214 Centerview Drive, Suite 225
Brentwood, TN. 37027

Davidson County DEEDWARR
Recvd: 10/06/04 16:13 2pgs
Fees:13.00 Taxes:1998.00

20041006-0120877

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 540,000.00.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 28th day of September, 2004.

Notary Public

MY COMMISSION EXPIRES: 06/18/05

(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
David W. Kious, Attorney, 1535 West Northfield Blvd., Suite 16, Murfreesboro, TN 37129

WARRANTY DEED

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Capitol Homes, Inc.	SAME	Map: 164-262 P/O
(NAME)	(NAME)	Parcel:
992 Davidson Dr Ste F		
(ADDRESS)	(ADDRESS)	
Nashville, TN. 37205		
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION of the sum of TEN dollars, cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt of which is hereby acknowledged, **SUMMERFIELD DEVELOPMENT, L.L.C. A TENNESSEE LIMITED LIABILITY COMPANY,** hereinafter called the GRANTOR, has bargained and sold, and by these presents does transfer and convey unto **CAPITOL HOMES, INC. A TENNESSEE CORPORATION,** hereinafter called the GRANTEE, its successors 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 all of Lot Nos. 32, 51, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68 and 70, on the Final Plat, Phase Three, Treehaven Subdivision, as shown by plat appearing of record in Instrument No. 20040913-0110149, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lots.

Being a part of the same property conveyed to Summerfield Development, L.L.C., a Tennessee limited liability company by Quitclaim Deed dated June 17, 1999 of record in Book 11571, Page 943, Register's Office for Davidson County, Tennessee.

This conveyance is subject to the following:

Restrictive Covenants of record in Book 11588, Page 484 and amended in Book 11669, Page 376, Instrument No. 20010308-0021946 and in Instrument No. 20010504-0046260, Instrument No. 20030527-0071168, and in Instrument No. 20030527-0071167 (Village Four Only); By-Laws of record in Book 11648, Page 662 and amended in Instrument No. 20010504-0046261; Charter of Homeowners' Association of record in Book 11648, Page 660 and amended in Instrument No. 20010326-0028531; Quitclaim Deed to Homeowners' Association of record in Instrument No. 20010514-0049520; Easement to BellSouth Telephone and Telegraph of record in Book 1141, Page 327; Storm Water Detention Agreement of record in Instrument No. 20000113-0004777; Agreement for dedication of an easement for Sanitary Sewers and/or Storm Drainage in Instrument No. 20000809-0079074; Grant of Permanent Easement of record in Instrument No. 20000824-0083643; Easements of record in Instrument No. 20000913-0091247, Instrument No. 20000913-0091248 and Instrument No. 20000913-0091249; all matters shown on plat of record in Instrument No. 20040913-0110149; and any and all matters of record, all in the Register's Office for Davidson County, Tennessee.

Unimproved (X)

This is improved ( ) property, known as Lots 32,51,56,58-68 & 70, Treehaven Summerfield, Antioch, TN
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

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 covenants with the said GRANTEE that it 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 except for the current year property taxes which are being prorated between the parties and Grantor agreeing to pay said tax when due; and Grantor further covenants and binds 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 this 28th day of September, 2004.

Summerfield Development, L.L.C.

BY: _____

John Harney, Chief Manager

STATE OF Tennessee

COUNTY OF Rutherford

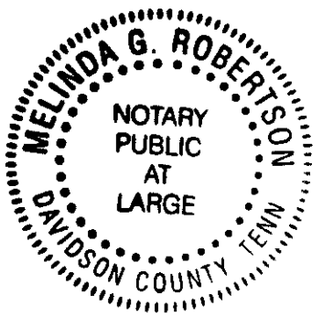
Before me, the undersigned Notary Public, of the state and county aforesaid, personally appeared John Harney, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Chief Manager of Summerfield Development, L.L.C., the within named bargainor, a limited liability company, and that he as such Chief Manager, as duly authorized executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Manager.

Witness my hand and official seal, this 28th day of September, 2004.

_____

Notary Public

My Commission Expires: 11/27/04



(SEAL)

Mail After Recording To:

Southern Title Services, LLC
1535 West Northfield Blvd., Suite 16
Murfreesboro, TN 37129