Davidson County DEEDWARR
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Fees:13.00 Taxes:1041.41

20050426-0046309

WARRANTY DEED

SANDRA S. TOMLIN
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY, TENN.
EXPIRES: FEBRUARY 19, 2007

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 281,461.00

Affiant
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 22nd April, 2005

Sandra S. Tomlin
Notary Public

My Commission Expires: 2/19/07
(AFFIX SEAL)

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:	Send Tax Bills To:	Map Parcel No.
Richard L. WHIPPLE and Janet L. WHIPPLE 1016 Wellmoor Court Nashville, TN 37209	Bank of America,N.A 900 W. Trade Street Charlotte, NC 28255-0001	114-7-B Parcel 120

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 **Richard L. WHIPPLE and Janet L. WHIPPLE, husband and wife**, 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 No.109, on the Plan of Section Five, Westchase of record as Instrument Number 20041215-0149127, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.

Being part of the same property conveyed to Tenn. Contractors, Inc., a Tennessee corporation by deed from Indymacbank F.S.B., d.b.a. Construction Lending Corporation of record as Instrument Number 20020614-0072713, Register's Office for Davidson County, Tennessee.
Being the same property conveyed to NVR, Inc., t/a Fox Ridge Homes, by deed from Tennessee Contractors, Inc., a Tennessee Corporation, of record in Instrument No. 20050113-0004910, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Property tax for the year 2005, a lien, but not yet due and payable.

Subject to all matters on the Plan of P.U.D. Boundary, Westchase of record in Book 9700, Page 521, Register's Office for Davidson County, Tennessee.

Subject to all matters on the plan of Section Five, Westchase, of record as Instrument Number 20041215-0149127, Register's Office, Davidson County, Tennessee.

100'-TVA easement of record in Book 751, Page 374, Book 787, Page 13, and Book 787, Page 14 and as shown on survey of H & H Land Surveying, Inc., dated July 24, 1997, last revised May 7, 1998.

Agreement for Dedication of Easements for Sanitary Sewer of record in Book 5222, Page 720, Register's Office for Davidson County, Tennessee, as shown on the survey of H & H Land Surveying, Inc., dated July 24, 1997, last revised May 7, 1998.

Agreement for Dedication of Easement for Public Utilities of record in Book 8626, Page 852, Register's Office, Davidson, County, Tennessee, as shown on the survey of H & H Land Surveying, Inc., dated July 24, 1997, last revised May 7, 1998.

Rights of ingress and egress to and from a family cemetery as set forth in Section 3 of the Agreement of record in Deed Book 2484 at Page 315, Register's Office for Davidson County, Tennessee. The location of the cemetery is set forth on the survey by H & H Land Surveying, Inc., dated July 24, 1997, last revised May 7, 1998.

Easement for the flow of a creek as shown on the survey of H & H Land Surveying, Inc., dated July 24, 1997, last revised May 7, 1998.

Declaration of Covenants, Covenants, Conditions, and Restrictions for Westchase (Fee-Simple Residential Lot Development) of record as Instrument Number 20021126-0146387, Register's Office for Davidson County, Tennessee. Omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under chapter 42, section 3607 of the united states code or (b) relates to handicap but does not discriminate against handicapped persons.

Agreement for Dedication of Sewer Line Easement of record as Instrument number 20021028-0131574, Register's Office for Davidson County, Tennessee.

Agreement for Dedication of Public Utilities Easement of record as Instrument number 20021104-0134795, Register's Office for Davidson County, Tennessee.

Outconveyance to Karl E. Haury, Jr., of record as Instrument Number 20021028-0131572, Register's Office for Davidson County, Tennessee.

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

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

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: **1016 Wellmoor Court, Lot 109, Westchase, Nashville, TN 37209**

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 22nd day of April, 2005.

NVR, INC., a Virginia Corporation, trading as Fox Ridge Homes

BY: _____
Kevin Martin, Appointed Vice President

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally came Kevin Martin, Appointed Vice President, with whom I am personally acquainted and who upon her oath(s) acknowledged himself to be the Appointed Vice President respectively of NVR, Inc., a Virginia corporation, trading as Fox Ridge Homes, the within named bargainor, and corporation, and that he as such Appointed Vice President 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 Appointed Vice President, and attesting the same of the corporation, by the said Kevin Martin as such Appointed Vice President.

WITNESS my hand and notarial seal at my office at Brentwood, Tennessee, this 22nd day of April, 2005.

Hazel L. Wright
NOTARY PUBLIC

NOTARY PUBLIC AT LARGE WILLIAMSON CO.

My Commission expires: 9-24-06