Davidson County DEEDWARR
Recvd: 06/23/05 11:53 2 pgs
Fees:13.00 Taxes:177.60

20050623-0072232

**WARRANTY DEED**

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $48,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 17th June, 2005

Notary Public

My Commission Expires: 8-16-08
(AFFIX SEAL)

STATE OF TENNESSEE NOTARY PUBLIC
CAROLYN GLEAVES
RUTHERFORD COUNTY, TENN.

**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.** |
|---|---|---|
| NVR Inc., T/A Fox Ridge Homes<br>5115 Maryland Way5115<br>Brentwood, TN 37027 | SAME | Map 126-15-0-A Parcel 308 |

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, **TENN. CONTRACTORS, INC.**, hereinafter called Grantor have bargained and sold, and by these presents do transfer and convey unto **NVR, INC., A VIRGINIA CORPORATION T/A FOX RIDGE HOMES**, 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.

Land in Davidson County, being Lot 40, on the Plan of Boone Trace, Section 8, Phase 1, Beautiful Valley Drive at Settler's Way, of record as Instrument Number 20031210-0177241, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description.

Being part of the same property conveyed to Tennessee Contractors, Inc. by deed from Branstetter Family Partners and Cecil D. Branstetter of record as Instrument Number 20021004-0121386, Register's Office for County, Tennessee.

This conveyance is made subject to:

a. Taxes and assessments for the year 2005, and subsequent years, which are a lien and not yet due and payable.

b. Declaration of Covenants, Conditions, and Restrictions for Proposed Boone Farm at Biltmore of record in Book 7265, Page 657; Supplemental Declaration of Covenants, Conditions, and Restrictions for Boone Trace as of record as instrument Number 200001260008529; Declarations of Covenants, Conditions and Restrictions for Boone Trace as of record as Instrument Number 20010717-0075902; Supplemental Declaration of Covenants, Conditions, and Restrictions for Boone Trace applying restrictions to Phase VI, Boone Trace of record on Plan 20010607-0060003 and Phase VII, Boone Trace of record on Plan 20011003-0107279, as of record as Instrument Number 20011119-0126832; and Supplemental Declaration of Covenants, Conditions, and Restrictions for Boone Trace of record as Instrument Number 20011119-0126832, Register's Office for Davidson County, Tennessee.

   Instrument Number 20010717-0075902 purports to be the only restrictions governing Boone Trace, but it fails to vacate those restrictions of record in Book 7265, Page 657; and Instrument Number 200001260008529 Register's Office for Davidson County, Tennessee.

c. Subject to Chater of Boone Trace at Biltmore Homeowners Association of record in Book 9607, Page 534, Register's Office for Davidson County, Tennessee.

d. Subject to lien for special assessments as contained in restrictions.

e. Subject to rights of others in and to the common areas and elements.

f. Subject to all matters on the PUD Boundary Master Plat of Boone Farm at Biltmore of record in Plat Book 6900, Page 470, Register's Office for Davidson County, Tennessee.

g. Subject to all matters on the Plan of Boone Trace Section 8, Phase 1, Beautiful Valley Drive at Settler's Way of record as Instrument Number 20031210-0177241, Register's Office for Davidson County, Tennessee.

h. Conveyance of common areas by Quitclaim Deed from NVR, Inc., D/B/A Fox Ridge Homes and Tennessee Contractors, Inc. unto Boone Trace Homeowners Association, Inc. of record as Instrument Number 20011119-0126831, Register's Office for Davidson County, Tennessee.

i. Subject to easements of record in Book 8992, Page 63 and Book 9665, Page 420, Register's Office for Davidson County, Tennessee.

j. Subject to a Storm Water Detention Agreement as of record as Instrument Number 20001120-0114598.

k. Subject to a Storm Water Detention Agreement as of record as Instrument Number 20021217-0155375, 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: ( X )
This is improved: ( ) property, known as: **BEAUTIFUL VALLEY, Boone Trace, Sect. 8 LOT 40, , TN.**

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 OUR HANDS this 22nd day of June, 2005.

Tenn. Contractors, Inc.

| | |
|---|---|
| By: | John D. Ring |
| It's | President |

STATE OF TENNESSEE

COUNTY OF Williamson

Before me, the undersigned a Notary Public within and for the State and County aforesaid, personally appeared John D. Ring with whom I am personally acquainted and who upon their oath(s) acknowledged himself to be the President of Tenn. Contractors Inc., and that he as such President, being authorized so to do executed the foregoing instrument for the purpose therein contained, by signing the name of the Corporation by himself as such President of Tenn. Contractors, Inc.

Witness my hand and official seal at office in Franklin, Tennessee on this the 22nd day of June, 2005.

Carolyn Gleaves
Notary Public

My commission expires: _____

CAROLYN GLEAVES
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY, TENN.

My Commission Expires 08-16-08