WARRANTY DEED

Davidson County DEEDWARR
Recvd: 08/10/05 12:27 2 pgs
Fees:13.00 Taxes:338.51

20050810-0094794

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $91,489.29

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 8th August, 2005

Notary Public

My Commission Expires: 1/24/09
(AFFIX SEAL)

SUSAN E. BURKS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 24, 2009

THIS INSTRUMENT WAS PREPARED BY
SETTLEMENT SERVICES OF TENNESSEE, LLC, 216 CENTERVIEW DRIVE, SUITE 102
BRENTWOOD, TN 37027 (615) 591-1156

Address of New Owners as Follows:
NVR Inc., T/A Fox Ridge Homes

5115 Maryland Way
Brentwood, TN 37027

Send Tax Bills To:
SAME

Map Parcel No.
P/O Map 58, Parcel 16, P/O Map 58, Parcel 207

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, Tennessee, being Lot No. 77, 86 And 89, on the Plan of Creekside Trails, Phase 4, of record in Instrument Number 20050405-0037383 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 property conveyed to Tenn. Contractors, Inc., a Tennessee Corporation by deed from Eaton's Creek Park Real Estate Investors Fund, LLC, a Tennessee limited liability company, a/k/a Eaton's Creek Real Estate Investors Fund LLC, of record as Instrument Number 20041229-0153374, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

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

b. All matters on the 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.

c. Subject to the lien for special assessments as contained in the said restrictions.

d. 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.

e. Subject to the flow of Eaton's Creek and branches thereof.

f. Subject to the rights of others in and to the common areas and/or elements of Creekside Trails.

g. No insurance is offered those portions of the premises enclosed within the bounds of Eaton's Creek Road.

h. Subject to flow of any streams on and across subject property.

i. 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.

j. Subject to HOA Charter of Eaton's Creek Park Real Estate Investors Fund, LLC of record in Book 10871, Page 532, and Instrument No. 20011126-0128291 Register's Office for Davidson County, Tennessee.

k. Easements for water mains and appurtenances of record in Book 6255, page 578, Register's Office for Davidson County, Tennessee.

l. Easement for sanitary sewers and/or storm drainage of record in Book 8326, page 230, Register's Office for Davidson County, Tennessee.

m. Subject to Storm Water Detention Agreement of record as Instrument No. 20001011-0100954, and Instrument No. 20031010-0150887 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: **EATONS CREEK LOTS 77, 86 And 89, Davidson County, 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 8th day of August, 2005.

Tenn. Contractors, Inc.

John D. Ring
President

STATE OF TENNESSEE

COUNTY OF

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 limited liability company by himself as President.

Witness my hand and official seal at office in Franklin, Tennessee on this the 8th day of August, 2005.

Susan E. Burks
Notary Public

My commission expires: 1/24/09

SUSAN E. BURKS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 24, 2009