58-H

WARRANTY DEED

Davidson County DEEDWARR
Recvd: 10/28/05 15:28 2 pgs
Fees:13.00 Taxes:610.89

20051028-0130653

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 165,106.00

L. Mackenzie Cohen
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE ____ October, 2005

Notary Public

My Commission Expires:
(AFFIX SEAL)

JEFFREY M. GRISHAM STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 24, 2009

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:
Joan TONEY
5457 Daniel Ray Drive
Whites Creek, TN 37189

Send Tax Bills To:
SAME

Map Parcel No.
P/O Map 41 Parcel 2

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 **Joan Toney**, a single female, 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. 32 on the Plan of Cobblestone Creek Phase One-A of record as Instrument #20050610-0066806, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.

Being the same property conveyed to NVR, Inc., t/a Fox Ridge Homes, by deed from Autumn Partners, LLC, of record in Instrument #20050720-0084259 and re-recorded in Instrument #20050908-0108195, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

County taxes for the year 2006, a lien not yet due and payable.

Declaration of Covenants, Conditions and Restrictions for Cobblestone Creek recorded as Instrument Number 20041208-0146322, but OMITTING ANY RESTRICTIVE COVENANT(S) BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN, unless and only to the extent that said covenant, condition or restriction (a) is exempt under Title 42, Section 3607 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

Right of-Way easement granted Tennessee Natural Gas lines Inc., of record in record in-Book 2493, Page 137, Register's Office for Davidson County, Tennessee.

Subject to the flow of the waters of any rivers, creeks, or streams across said premises.

Rights of the Public in and to any navigable waterways within the bounds of said premises.(a)The rights of upper and lower riparian owners to the free and unobstructed flow of the water of any rivers, creeks, or streams without diminution or pollution and the consequence of any past or future change in the location of any rivers, creeks, or streams.

Riparian rights incident to premises.

Rights of upper and lower riparian owners in and to the waters of any rivers, creeks, or streams crossing or adjoining the property, and the natural flow thereof, free from diminution or pollution.

Rights of the public in and to a cemetery located in subdivision with rights of ingress and egress thereto.

Any rights, easements, interests or claims which may exist by reason of or reflected by the following facts shown on the survey dated July 8, 2003 by J. Bruce Rainey, R.L.S. No. 823. Job No. 02-162

Stormwater Detention Agreement of record as Instrument Number 20040304-0024829, 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.

Subject to all matters on the Plan of Cobblestone Creek, Phase 1-A of record in Instrument No. 20050610-0066806, 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: **5457 Daniel Ray Drive, Lot 32 Cedar Hill Meadows, Whites Creek, TN 37189**

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 17 day of October, 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 17th day of October, 2005.

_____
NOTARY PUBLIC

My Commission expires: 9/24/06

HAZEL L. WRIGHT
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY
My Commission Expires 9-24-06