WARRANTY DEED

Davidson County DEEDWARR
Recvd: 12/29/05 09:36 3 pgs
Fees:18.00 Taxes:552.81

20051229-0155942

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 149,407.00

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

Notary Public

My Commission Expires: 11/8/08
(AFFIX SEAL)

STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY, TENN

THIS INSTRUMENT WAS PREPARED BY
SETTLEMENT SERVICES OF TENNESSEE, LLC, 216 CENTERVIEW DR. STE. 102
BRENTWOOD, TENNESSEE 37027 (615) 591-1156

Address of New Owners as Follows:
Milburn FENDER
2448 Nashboro Blvd.
Nashville, TN 37217

Send Tax Bills To:
NVR Mortgage Finance, Inc.
121 Hillpointe Dr., Suite 100
Canonsburg, PA 15317

Map Parcel No.
135-12-E-224.00 CO

Map Staff Examined NOV 8 2008

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 **Milburn FENDER, unmarried**, 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 Unit 224, on the Plan of Phase One, Nashboro Village Tract #21 of record in Book 4660, page 159, as amended by Instrument Number 20331118-0168332 and as now included in th eHorizontal Property Regieme, Private Element, Nashboro – Point, as recorded in the Register's Office for Davidson County, Tennessee.

Being the same property conveyed to NVR, Inc., t/a Fox Ridge Homes, by deed from Vastland Nashboro Development, LLC, of record in Instrument No. 20050914-0110643, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

a. Taxes and assessments for the year 2006, and subsequent years, which are a lien and not yet due and payable.

b. The Plan of record in Book 11700, pages 49 & 50, Register's Office for Davidson County, Tennessee.

c. Subject to the Declaration of Covenants, Conditions, and Restrictions For Fairway Pointe Homeowners Association, Inc., of record in Book 11703, page 520, Book 4827, page 14; Book 5469, page 840; Book 7751, page 907; Instrument #20000316-0027171; and in Instrument #20010322-0027768 Instrument #20000627-0063887, and Instrument #20031118-0168332, 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.

d. Subject to the By-laws of Fairway Pointe Homeowners Association, Inc., of record in Book 11703, page 560, Register's Office for Davidson County, Tennessee.

e. Subject to a Memorandum of Lease of record in Book 10690, page 327, Register's Office for Davidson County, Tennessee.

f. Subject to Homeowner's Association Charter of record in Book 11703, page 518, Register's Office for Davidson County, Tennessee.

g. Easement for Sewer of record in Book 8870, page 887 and 932, and in Instrument #20001012-0101575, Register's Office for Davidson County, Tennessee.

h. Easements for Metro Government of record in Book 4815, page 425, Book 4868, page 74, and in Book 4815, page 425, Book 8870, page 887, Book 8870, page 932, and in Instrument #20010314-0024179,and in Instrument #20020815-0098780, Register's Office for Davidson County, Tennessee.

i. Easement for Cart Path of record in Book 10110, page 860, Register's Office for Davidson County, Tennessee.

j. All matters on the Plat of record in Book 4660, page 159, Book 6200, page 341, and in Instrument #20020710-0083054 and in Instrument #20020820-0100664, and as amended in Instrument #20050222-0018814, Register's Office for Davidson County, Tennessee.

k. Judgment of Declaration of Taking for J. Percy Priest Dam of record in Book 4254, page 410, Register's Office for Davidson County, Tennessee.

l. Public Right-of-way Dedication of record in Book 4460, page 149-151, Register's Office for Davidson County, Tennessee.

m. Conveyance of Common Area of record in Instrument #20001010-0100360, Register's Office for Davidson County, Tennessee.

n. Easement for Cable Television of record in Instrument #20001012-0101575, Register's Office for Davidson County, Tennessee.

o. Agreements of record in Instrument #20010314-0024179, #20020507-0056329, and #20020815-0098780, Register's Office for Davidson County, Tennessee.

p. Agreements contained in "License to Use Fitness Center and Swimming Pools" of record in Instrument #20020507-0056329, Register's Office for Davidson County, Tennessee.

q. Quitclaim of Common Areas from WDN Properties, Ltd., a Texas limited partnership to Fairway Pointe Homeownrs Association, Inc. of record in Instrument #20001010-0100360, Register's Office for Davidson County, Tennessee.

r. Easements of record in Book 4868, page 74, Book 4815, page 425, and in Book 10110, page 854 Register's Office for Davidson County, Tennessee.

s. The perpetual right, power, privilege and easement to overflow, flood and submerge certain parcels, and restrictions against construction or maintenance of structures for human habitation on certain tracts or other structures without approval of USA on such tracts as set forth in Judgment of Declaration of Taking for the J. Percy Priest Dam and Reservior Project, Stones River, Tennessee, as set forth in Book 4254, page 410, Register's Office for Davidson County, Tennessee.

t. All other easements and restrictions of record in said Register's Office

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: **2448 Nashboro Blvd., Lot 224, Fairway Pointe, Nashville, TN 37217**

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 December, 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 December, 2005.

NOTARY PUBLIC

SHELBY BROOK CREEK
NOTARY PUBLIC AT LARGE
WILLIAMSON COUNTY, TENN.

My Commission expires: 9/16/06