Davidson County DEEDWARR
Recvd: 09/10/07 13:19 2 pgs
Fees:13.00 Taxes:1539.20
20070910-0108344

This instrument prepared by:
TrustLand Title & Escrow, LLC.
1720 West End Avenue Suite 400
Nashville, TN 37203
(615) 522-0140

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into as of **August 22, 2007** by and between **Urban Land Development, LLC., a Tennessee Limited Liability Company, ("Grantor")**, and **Capitol Homes, Inc., a Tennessee Corporation, ("Grantee")**,

WITNESSETH: For and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto Grantee, its successors and assigns, the following described Real Estate, situated and being in the City of **Antioch**, County of **Davidson**, State of Tennessee, to wit:

Land in Davidson County, Tennessee, Being Lot No's. 1, 4, 6, 7, 33, 132, 133, 138 on the Plan of FINAL PLAT, DELVIN DOWNS, PHASE 1, a Planned Unit Development, of record in Instrument No. 20070807-0094328, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate description of said lot.

Being a part of the same property conveyed to Urban Land Development, LLC., by Warranty Deed from Delvin Downs Venture, LLC., dated September 8, 2006, of record in Instrument No. 20060913-0113162, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. County taxes for the year 2007, a lien not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with the GRANTORS paying their prorate share thereof to GRANTEES who will be responsible for payment of said taxes.

2. All matters shown on the Plan of record for Delvin Downs, Phase 1, of record in Instrument No. 20070807-0094328, Register's Office for Davidson County, Tennessee.

3. Storm Water Detention Agreement of record in Instrument No. 20060406-0039484, Register's Office for Davidson County, Tennessee.

4. Right of Way Deed of record in Book 2739, page 637, Register's Office for Davidson County, Tennessee.

5. Restrictive Covenants of record in Instrument No. 20070807-0094340, Register's Office for Davidson County, Tennessee.

6. Charter for the Delvin Downs Homeowners Association, Inc., of record in Instrument No. 20070824-0101501, Register's Office for Davidson County, Tennessee.

Parcel ID #: **173-10-0-C-1 (Lot 1), 173-10-0-C-6 (Lot 6), 173-10-0-C-34 (Lot 133), 173-10-0-C-4 (Lot 4), 173-10-0-C-7 (Lot 7), 173-10-0-C-21 (Lot 33), 173-10-0-C-33 (Lot 132), 173-10-0-C-39 (Lot 138)**

☒ Unimproved property located at: **Lots 1, 4, 6, 7, 33, 132,133, 138 Delvin Downs, Phase 1, Antioch, TN 37013**

TO HAVE AND TO HOLD the aforesaid Real Estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the Grantee, its successors and assigns in fee simple forever.

Grantor does hereby covenant, warrant and bind itself, its successors and assigns to Grantee, its successors and assigns, that it is lawfully seized in fee simple of the aforedescribed Real Estate; that it has good right to sell and convey the same; that the same is unencumbered and restricted, EXCEPT as set forth herein, and that it, on behalf of itself, its successors and assigns, warrants and shall forever defend the title and quiet possession the title and quiet possession of the Real Estate against the lawful claims of all persons claiming by, through or under Grantor but not otherwise.

Witness our hands on the **22nd** day of **August, 2007.**

Urban Land Development, LLC.

By: **Justin A. Cutler**
It's: **Chief Manager**

State of **Tennessee**

County of **Davidson**

Before me, the undersigned of the State and County mentioned, personally appeared **Justin A. Cutler** with whom I personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged such person to be the **Chief Manager** of **Urban Land Development, LLC.,** the within named bargainor, a Limited Liability COmpany, and that such **Justin A. Cutler**, executed the foregoing instrument for the purposed therein contained, by personally signing the name of the Limited Liability Company as **Chief Manager.**

Witness my hand and Seal at office on the **22nd** day of **August, 2007.**

Notary Public

My Commission Expires: C.M. CORRIVEAU STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAR. 21, 2009

State of **Tennessee**

County of **Davidson**

I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$416,000.00** which amount is equal or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this **22nd** day of **August, 2007.**

Notary Public

My Commission Expires: C.M. CORRIVEAU STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAR. 21, 2009

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Owner's Name: **Capitol Homes, Inc.**

and Address: **475 Metroplex Drive, Nashville, Tennessee 37211**

Mail tax bills to, (Person or Agency responsible for payment of taxes):
New Owner