# WARRANTY DEED

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $221,593.11.

Donna K. Miller
*Affiant*

Subscribed and sworn to me on November 5, 2007.

Tara Steward
NOTARY PUBLIC

My Commission Expires: 8/23/11

TARA STEWARD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Davidson County DEEDWARR
Recvd: 11/06/07 14:43 3 pgs
Fees:18.00 Taxes:819.89

20071106-0131095

THIS INSTRUMENT WAS PREPARED BY:

John Cobb Rochford, Attorney-at-Law
2200 Abbott Martin Road
Nashville, TN 37215
(615)269-7676

| NAME/ADDRESS OF NEW OWNER: | SEND TAX BILLS TO: | MAP – PARCEL # |
|---|---|---|
| Donna K. Miller<br>1600 Harpeth Run Drive<br>Nashville, TN 37221 | First American Bank<br>251 Johnston St. SE, Ste. 405<br>Decatur, AL 35601 | 126-16-0A-664.00 |

**FOR AND IN CONSIDERATION** of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **Rochford Realty and Construction Co., Inc.**, a Tennessee corporation, hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto **Donna K. Miller,** a unmarried person, hereinafter called **"GRANTEE,"** its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

LAND in Davidson County, Tennessee, being Lot No. 560 on the Final Plat of Parkview at Riverwalk, Phase 2, a Cluster Lot Development, as shown by plat appearing of record in Instrument No. 20061101-0135728, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being the same property conveyed by Special Warranty Deed dated October 31, 2007 from Riverwalk Development Partners, Inc., a Tennessee corporation, to Rochford Realty and Construction Co., Inc., a Tennessee corporation, of record as Instrument No. 20071106-0131091, Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. 2007 Davidson County and subsequent taxes are assumed by the Grantees; and
2. All matters appearing on the Final Plat of Parkview at Riverwalk, Phase 2, a Cluster Lot Development, of record in Instrument No. 20061101-0135728, Register's Office for Davidson County, Tennessee; and
3. Charter right of way for CSX Railroad; and
4. TVA easement over the easterly portion of the property; and
5. Easement for the flow of the waters of the Harpeth River and rights of the public therein; and
6. Rights of upper and lower riparian owners to the flow of the Harpeth River free from diminution or pollution and the consequence of any past or future change in the location of the Harpeth River; and
7. Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of the Harpeth River; and
8. Portion of the subject property lying below the ordinary low water mark of the Harpeth River; and
9. Plan of Newsom Land of record at Plat Book 1, Page 25, and in Plat Book 1, Page 121, Chancery Court for Davidson County, Tennessee; and
10. Easements and rights granted to Tennessee Electric Power Company as set forth in instruments of record in Book 751, Page 375 and in Book 787, Page 7, Register's Office for said County; and
11. Easements and rights-of-way granted to Tennessee Valley Authority as set forth in Grant of Transmission Line Easement of record in Book 4257, Page 647, Register's Office for said County; and
12. Easement granted in Agreements for Dedication of Public Utilities Easement to Harpeth Valley Utilities District of record in Book 7526, Page 315, 318 and 324, Register's Office for said County; and
13. Restrictive Covenants of record in Instrument No. 20011105-0121083, Instrument No. 20020424-0050565, Instrument No. 20040430-0049313, Instrument No. 20040506-0051985, Instrument No. 20050308-0025001,

Instrument No. 20060320-0031638, Instrument No. 20061103-0136691 and Instrument No. 20061214-0154502, Register's Office for Davidson County, Tennessee; and

14. Declaration of Road & Utilities access easement of record in Instrument No. 20010706-0072536, Register's Office for said County; and
15. Stormwater Detention Agreement of record in Instrument No. 20010919-0101279 and Instrument No. 20021119-0143687, and Instrument No. 20040318-0030734, Register's Office for said County; and
16. Landsape Agreement of record in Instrument No. 20010919-0101280, Register's Office for said County; and
17. Charter Right of Way for CSX Transportation Railroad; and
18. Agreement for Dedication of Public Utilities Easement of record in Instrument No. 20021125-0145984, Register's Office for Davidson County, Tennessee; and
19. By-Laws of record in Instrument No. 20011105-0121083, Register's Office for Davidson County, Tennessee; and
20. Agreement for Public Utilities Easement of record in Instrument No. 20040812-0097619, Register's Office for Davidson County, Tennessee; and
21. Easements and rights-of-way taken by Tennessee Valley Authority as set forth in Declaration of Taking of record in Book 4205, Page 194, said Register's Office, and Book 4226, Page 715, said Register's Office; and
22. Charter of Homeowners Association in Instrument No. 20020425-0051371, said Register's Office; and
23. Tennessee Valley Authority Easement of record in Book 4230, Page 987, said Register's Office; and
24. Greenbelt Applications of record in Book9996, Pages 579, 580 and 581, said Register's Office; and
25. Ingress/ Egress Easement as noted in Deed of Trust of record in Instrument No. 20040507-0052414, said Register's Office; and
26. Any adverse claim based upon the assertion that some portion of said land is title or submerged land, or has been created by artificial means or has accreted to such portion so created; and
27. Rights, title and interest, if any, of the State of Tennessee in that part of the land, if any, extending beyond the mean high watermark of the Harpeth River; and
28. Rights of way for railroad, switch tracks, spur tracks, railway facilities and other related easements, if any, on and across the land; and
29. Title to that portion of the premises embraced within the bounds of the railroad charter right of way; and
30. Easements and incidental rights in any portion of the land lying within any highways, roads, streets and other ways; and
31. Easements and incidental rights in and along the northerly portion of the land reserved for the widening of Newsom Station Road; and
32. Matters shown on the boundary survey of the subject property (and the entire Riverwalk subdivision property) by American Surveying Company title Adelaide Robb and J.M. Davis Property dated April 2001; and
33. TVA easement of easterly portion of property; and
34. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.

This property is also known as improved property located at 1600 Harpeth Run Drive, Nashville, TN 37221.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, her successors and assigns, forever, and GRANTOR does covenant with the said GRANTEE that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its heirs and assigns, to warrant and forever defend the title to the said land to the said GRANTEE, her successors and assigns, against the lawful claims of all persons 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 on November 5, 2007.

Rochford Realty and Construction Co., Inc.

By: _____

Its: Vice President

**STATE OF TENNESSEE, COUNTY OF DAVIDSON**

Before me, the undersigned Notary Public, of the state and county aforesaid, personally appeared James Morrissey, an authorized representative of Rochford Realty and Construction Co., Inc. a Tennessee Corporation, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be an authorized representative of Rochford Realty and Construction Co., Inc., a Tennessee Corporation, the within named bargainor, and that he/she as such authorized representative of Rochford Realty and Construction Co., Inc., a Tennessee Corporation, has duly authorized and executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself/herself as authorized representative of Rochford Realty and Construction Co., Inc., a Tennessee Corporation.

Witness my hand and official seal on November 5, 2007.

Tara Steward

NOTARY PUBLIC

My Commission Expires: 8/23/11

