SPECIAL WARRANTY DEED

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER AS $ 338,462.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 11 January, 2009

Notary Public

My Commission Expires: 10/10/09

(AFFIX SEAL)

Davidson County DEEDWARR
Recvd: 01/20/09 09:40 2 pgs
Fees:13.00 Taxes:1252.31
20090120-0004515

THIS INSTRUMENT WAS PREPARED BY
SETTLEMENT SERVICES OF TENNESSEE, LLC, 93 SEABOARD LANE, SUITE 201
BRENTWOOD, TENNESSEE 37027 (615) 591-1156

Address of New Owners as Follows:	Send Tax Bills To:	Map Parcel No.
Melissa SMITH and Lacy R. SMITH 901 Holgate Court Nashville, TN 37221	NVR Mortgage Finance, Inc. 5301 Virginia Way Brentwood, TN 37027	141-050-A-04600.CO

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 **Melissa SMITH and Lacy R. SMITH, husband and wife**, hereinafter called Grantees, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, desibed as follows, to-wit.

Land in Davidson County, TN being Lot No.46 on the Plan of Avondale Park, Phase 1, Section 1A of record in Instrument No. 20080226-0018937 Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Being the same property conveyed to NVR, Inc., t/a Fox Ridge Homes, by deed from Avondale Residential, Inc., of record in Instrument No. 20080807-0081454, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Taxes and assessments for the year 2009, and subsequent years, which are a lien and not yet due and payable.

All matters appearing on subdivision plat of record in instrument Number 20080226-0018937 of said Registers Office.

Access Easement Agreement recorded in Instrument Number 20041207-0145662 said Registers Office.

Transmission Line Easement recorded in Instrument Number 20060110-0003857 said Registers Office.

Deed to USA recorded in Record Book 4118 Page 694 and in Book 4228 Page 635.

Order to TVA recorded in Record Book 4273 Page 280, said Register's Office.

Easement to Harpeth Valley Utilities District in Instrument No. 20040204-0013639, 20040204-0013640 & 20040204-0013641, said Register's Office..

Storm Water Detention Agreement Recorded in Instrument Number 20060512-0055867, said Register's Office..

Inspection & Maintenance Agreement for Priviate Stormwater Management Facilities recorded in Instrument Number 20071002-0117293, said Register's Office.

Easement for right-of-way of an electric power line granted to Tennessee Electric Power Company by James B. Ezzell and wife, Fanny M. Ezzell, of record in Book 787, Page 7, Register's Office for Davidson County, Tennessee.

Easement and right-of-way for electric power transmission lines and poles with rights of ingress and egress and other rights and privileges as set out in granted to the United States by John Smallman Cowden and wife, Ruby S. Cowden, of record in Book 4193, Page 903, Register's Office for Davidson County, Tennessee.

Easement for water line granted by Rodgers Properties, Inc. (formerly J.M.R. Development Co.), to Harpeth Valley Utilities District of Davidson and Williamson Counties, of record in Book 5738, page 832, Register's Office for Davidson County, Tennessee.

Easement for sewer line granted by Michael R. Allison to Harpeth Valley Utilities District of Davidson and Williamson Counties, of record in Book 7601, Page 400, Register's Office for Davidson County, Tennessee.

Easement for water main across the Dower Tract, a part of the Property, from the 38.71 acre tract conveyed to John Smallman Cowden , of record in Book 1237, Page 674, Register's Office from Davidson County, Tennessee, to the Big Harpeth River and privilege of building a pump house and drainage across the Dower Tract (see deed of record in Book 840, Page 540, Register's Office for Davidson County, Tennessee).

Water line easement of record in Book 5738, page 819 of which water line was abandoned in Instrument No. 20080826-0087638, Register's Office for Davidson County, Tennessee.

Advertising space lease of record in Book 4494, Page 882, Register's Office for Davidson County, Tennessee.

Right-of-way as shown on the Plat entitled Section 1 Harpeth 40 Mobile Home Park of record in Book 4300, Page 49, Register's Office for Davidson County, Tennessee.

Advertising space lease between Buck Allision, Inc., and The Lamar Corporation, of record in Book 6078, Page 619, Register's Office for Davidson County, Tennessee.

A portion of the overaall Property is within the 100-year flood plain as shown on the overall boundary lay-out of Ragan-Smith-Murphy & Associates, Inc., dated March 30, 1988 (not a field survey).

Memorandum of lease between Michael R. Allison and National Advertising Company, of record in Book 10023, Page 638, Register's Office for Davidson County, Tennessee.

Declaration of Restrictive Covenants, of record as Instrument No. 20020821-0100879, Register's Office for Davidson County, Tennessee.

In the event that any exception herein contains covenants, conditions and restrictions, said exception omits any Covenants or restrictions, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
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: **901 Holgate Court, Lot 46, Avondale, 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 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 14 day of January, 2009.

NVR, INC., a Virginia Corporation, trading as Fox Ridge Homes

BY: Ashley Brews
Ashley Crews, Appointed Assistant Secretary

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally came Ashley Crews, Appointed Assistant Secretary, with whom I am personally acquainted and who upon his oath(s) acknowledged herself to be the Appointed Assistant Secretary respectively of NVR, Inc., a Virginia corporation, trading as Fox Ridge Homes, the within named bargainor, and corporation, and that she as such Appointed Assistant Secretary being authorized so to do, execute the foregoing instrument for the purpose therein contained by signing the name of the corporation, by the said Ashley Crews as such Appointed Assistant Secretary, and attesting the same of the corporation, by the said Ashley Crews as such Appointed Assistant Secretary.

WITNESS my hand and notarial seal at my office at Brentwood, Tennessee, this 14 day of January, 2009.

Carolyn Gleaves
NOTARY PUBLIC

My Commission expires: 8-18-12

CAROLYN GLEAVES
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY
MY COMMISSION EXPIRES: August 18, 2012