BOX #14A

G#21782-1

# WARRANTY DEED

State of Tennessee )
County of Davidson )

The actual consideration or value, whichever is greater, for this transfer is **$212,885.00.**

David P. Berge
Affiant

Davidson County DEEDWARR
Recvd: 02/23/09 09:22 2 pgs
Fees:13.00 Taxes:787.67

20090223-0015376

Subscribed and sworn to before me, this the 19th day of February, 2009.

Jenna Willms
Notary Public

My commission expires: 10/7/09

(AFFIX SEAL)

JENNA WILLMS NOTARY PUBLIC STATE OF TENNESSEE RUTHERFORD COUNTY, TENN.

**THIS INSTRUMENT WAS PREPARED BY**
John T. Cook, P.C.
2927 Berry Hill Drive, Nashville, TN 37204-3126

| Address of New Owner(s) as follows: | Send Tax Bills To: | Map-Parcel Numbers |
|---|---|---|
| **DAVID P. BERGE** | **COUNTRYWIDE BANK, FSB** | **Map 105-14-0-C Parcel 801.00co** |
| **2310 Elliott Avenue, #801** | **P. O. Box 660694** | |
| **Nashville, TN 37204** | **Dallas, TX 75266-0694** | |

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

**HILLVIEW VILLAGE PARTNERSHIP, a Tennessee general partnership**

HEREINAFTER CALLED THE GRANTOR, HAS BARGAINED AND SOLD, AND BY THESE PRESENTS DOES TRANSFER AND CONVEY UNTO

**DAVID P. BERGE, a single person**

HEREINAFTER CALLED THE GRANTEE, HIS HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

**BEING a certain Condominium Apartment in Davidson County, Tennessee, being Unit No. 801 as specified on the Plat shown in the Master Deed, on the Plan of The Park at Melrose Condominiums, a Horizontal Property Regime, created under Title 66, Section 27-101, et seq., as amended, Tennessee Code Annotated, and as established by a Master Deed for The Park at Melrose Condominiums, of record under Instrument No. 20070917-0110745, Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto, said Register's Office, together with the undivided percentage interest in the Common Elements appurtenant to said Unit, as set forth in said Master Deed. Reference is hereby made to the plan of The Park at Melrose Condominiums, for placement of Units, as shown on Exhibit "E" to the Master Deed of record under Instrument No. 20070917-0110745, said Register's Office, for a more complete identification and description of such Unit.**

**ADDITIONALLY, the said Unit No. 801 shall have as a Limited Common Element ("LCE") the fence-enclosed patio area located immediately outside the rear wall of the Unit measuring 28 feet by 14 feet, more or less (with the 14 foot dimension being the distance of the rear fence from the rear exterior wall of the structure which contains the Unit,) which Limited Common Element shall be a permanent appurtenance to the said Unit No. 801. NOTE: It shall not be required that such LCE be separately described or mentioned in any subsequent conveyance of the said Unit No. 801. The said LCE shall automatically transfer with the said Unit as an appurtenance thereto.**

**BEING part of the same property conveyed to Hillview Village Partnership, a Tennessee general partnership, by Warranty Deed dated December 9, 2005, from Sherwood Terrace Apartments, Inc., a Tennessee corporation, of record in Instrument No. 20051212-0149160,Register's Office for Davidson County, Tennessee.**

**THIS conveyance is subject to all the provisions of the Tennessee "Horizontal Property Act" as the same is set out in Section 66-27-101 et seq. of the Tennessee Code Annotated, and is subject to the provisions and requirements thereof; and is subject to the By-Laws for the administration thereof, of record aforementioned; also subject to easements, rights and interest in favor of other**

**unit owners and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through or upon the land embracing the regime and building thereon; and also including without limitations all conditions, covenants, restrictions, options, burdens, assessments, and other undertakings contained in the Master Deed establishing a Horizontal Property Regime of The Park at Melrose Condominiums, of record aforementioned; easements and setback lines as set forth on the above plan of record; and taxes for the current year which have been prorated and assumed by the Grantee herein.**

This is IMPROVED (__X__) unimproved (____) property, known as: **2310 Elliott Avenue, #801, Nashville, TN 37204**.

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 GRANTOR does covenant with the said GRANTEES that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same in unencumbered unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its successors and assigns, 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 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 its hand by its duly authorized officer this 19th day of February, 2009.

**HILLVIEW VILLAGE PARTNERSHIP, a Tennessee general partnership**

**By: Craighead Development, LLC, a Tennessee limited liability company, its Managing Partner**

By: _____
**Carl A. Neuhoff, Jr., Assistant Chief Manager**

**STATE OF TENNESSEE )**
**COUNTY OF DAVIDSON )**

Before me, the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared **Carl A. Neuhoff, Jr.**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the **Assistant Chief Manager** of CRAIGHEAD DEVELOPMENT, LLC, a Tennessee limited liability company (the "LLC"), and who further acknowledged the LLC, to be the Managing Partner of **HILLVIEW VILLAGE PARTNERSHIP,** the within named bargainor, **a Tennessee general partnership**, and that he as such Assistant Chief Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing for and in behalf of the LLC by himself as such **Assistant Chief Manager,** said LLC signing as Managing Partner.

Witness my hand, at office in Nashville, Tennessee, this **19th** day of **February, 2009.**

JENNA WILLIAMS STATE OF TENNESSEE NOTARY PUBLIC RUTHERFORD COUNTY, TENN.

_____
**Notary Public**

**My Commission Expires:** 10/17/09