## SPECIAL WARRANTY DEED

STATE OF TENNESSEE
County of Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 282,596.00.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 02/07/13 .

Notary Public

My Commission Expires: 10/18/15
(AFFIX SEAL)

BILL GARRETT, Davidson County
Trans:T20130011168 DEEDWARRSP
Recvd: 02/08/13 14:50 2 pgs
Fees:13.00 Taxes:1045.61
20130208-0013474

DANA DELWORTH STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

**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. |
|---|---|---|
| Brady SMITH and Matthew MAYES<br>2540 Janalyn Trace<br>Hermitage, TN 37076 | Franklin American Mortgage<br>501 Corporate Centre Dr. #400<br>Franklin, TN 37067 | 109-04-0-A-059.00CO |

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 **Brady SMITH, unmarried and Matthew MAYES, 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. BS MM JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP

Land in Davidson County, Tennessee, being Lot No. 21 on the Plan of First Revision, Final Plat Cluster Lot Subdivision Towering Oaks Phase Two as shown on the plan of record in Instrument No. 20120927-0088095 Register's Office for Davidson County, Tennessee to which plan reference is hereby made for a more complete description thereof.

Being the same property conveyed to NVR, Inc., t/a Fox Ridge Homes, by deed from Tenn. Contractors, Inc., of record in Instrument No. 20121019-0096073, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

a. Taxes and assessments for the year 2013, and subsequent years, which are a lien and not yet due and payable. Said taxes have been prorated between the parties as of the day of closing with Grantor paying his prorate part thereof to Grantee, who will be responsible for payment of said taxes when they become due and payable.

b. Plan of record for Final Plat for Cluster Lot Subdivision, Towering Oaks, Phase One, of record in Instrument No. 20120927-0088095 Register's Office for Davidson County, Tennessee.

c. Declaration of Covenants, Conditions and Restrictions for Towering Oaks Homeowner's Association, Inc., of record in Instrument No. 20091215-0114266 Register's Office for Davidson County, Tennessee.

d. Easement Agreement and Restrictions as set forth in Instruments of record at Instrument No. 20010205-0010996, 20041026-0128530, 20050615-0068192 and 20070601-0065248 Register's Office for Davidson County, Tennessee.

e. Storm Water Detention Agreement of record in Instrument No. 20070601-0065248 Register's Office for Davidson County, Tennessee.

f. Water (Riparian Rights) the rights of upper and lower riparian owners to the free and unobstructed flow of the water, any rivers, creeks, or streams without dimunition or pollution and the consequence of any past or future change in the location of any rivers, creeks or streams; riparian rights incident to premises; rights of upper and lower riparian owners in and to the waters of coring or adjoining the property, and the natural flow thereof, free from dimunition or pollution.

g. Access Easement Agreement of record as Instrument No. 20050831-0104488 Register's Office for Davidson County, Tennessee.

h. Subject to rights of others in and to common areas/elements.

i. Subject to lien for special assessment contained in DCCR's/Master Deed.

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: **2540 Janalyn Trace, Lot 21 Towering Oaks, Hermitage, TN 37076**

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. GRANTOR does hereby covenant with GRANTEE that GRANTOR has not made, done, executed, allowed or suffered any act, instrument or thing whatsoever whereby said land, or any part thereof, now or at any time hereafter shall be charged or encumbered in any manner whatsoever; and GRANTOR does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to said land to said GRANTEE, its successors and assigns, against the lawful claims of all persons claiming by, through or under said GRANTOR, but not otherwise.

Witness MY HAND 7th day of February, 2013.

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

BY: _____
Kent Eshleman, 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 Kent Eshleman, Appointed Vice-President with whom I am personally acquainted and who upon his 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 Kent Eshleman, as such, Appointed Vice-President, and attesting the same of the corporation, by the said Kent Eshleman,, Appointed Vice-President.

WITNESS my hand and notarial seal at my office at Brentwood, Tennessee, this 7th day of February, 2013.

_____
NOTARY PUBLIC

My Commission expires: 11-15-15

LAUREN GRIFFIN
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY