WARRANTY DEED

Bill Garrett Davidson County
Batch# 16404 **DEEDWARR**
10/23/2017 09:46:05 AM 6 pgs
Fees: $33.00 Taxes: $566.12

20171023-0108107

STATE OF FL
County of Walton
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $153,004.64

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 16th October, 2017

Notary Public

My Commission Expires:

(AFFIX SEAL)

RACHEL HUFF
MY COMMISSION # GG 066160
EXPIRES: January 25, 2021
Bonded Thru Notary Public Underwriters

THIS INSTRUMENT WAS PREPARED BY

SETTLEMENT SERVICES OF NASHVILLE, LLC, 302 INNOVATION DRIVE SUITE 260 FRANKLIN, TENNESSEE 37067 (615) 591-1156
LT4653

Address of New Owners as Follows:
NVR, Inc., a Virginia Corporation
302 Innovation Dr., Suite 200
Franklin, TN 37067

Send Tax Bills To:
SAME

Map Parcel No.
141050A67200CO (Lot 672)

141050A67500CO (Lot 675)

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, **Avondale Residential, Inc.**, hereinafter called Grantor have bargained and sold, and by these presents do transfer and convey unto **NVR, Inc., a Virginia Corporation**, 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.

Land in Davidson County, Tennessee being Lot Nos. 672 and 675 on the Plan of Avondale Park, Phase 3, Section 3 of record in Instrument No. 20170324-0028914 Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Being part of the same property conveyed to Avondale Residential Inc., a Tennessee corporation, by Deed dated April 18, 2013 from Avondale Park Partnership, a Tennessee general partnership, of record in Instrument No. 20131218-0127661 Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

Taxes and assessments for the year 2017, now due and payable, but not delinquent until March 01, 2018. Said taxes will be prorated between the parties as of the date of closing. Taxes and assessments for the year 2018, and subsequent years, which are not yet due and payable.

All matters appearing on plan of record in Instrument No. 20170324-0028914 Register's Office for Davidson County, Tennessee.

Declaration of Protective Covenants, Conditions and Restrictions of record in Instrument No. 20081203-0117452 amended in Instrument No. 20090331-0028791 and Instrument No. 20101223-0102254, Register's Office for Davidson County, Tennessee.

Access Easement Agreement recorded in Instrument No. 20041207-0145662 Register's Office for Davidson County, Tennessee.

Transmission Line Easement recorded in Instrument No. 20060110-0003857 Register's Office for Davidson County, Tennessee.

Deed to USA recorded in Book 4118 Page 694 and in Book 4228 Page 635 Register's Office for Davidson County, Tennessee.

Order to TVA recorded in Book 4273 Page 280 Register's Office for Davidson County, Tennessee.

Easement to Harpeth Valley Utilities District recorded in Instrument No. 20040204-0013639; Instrument No. 20040204-0013640; Instrument No. 20080818-0084836 & Instrument No. 20040204-0013641 Register's Office for Davidson County, Tennessee.

Storm Water Detention Agreement recorded in Instrument No. 20060512-0055867 and Instrument No. 20090814-0076610 Register's Office for Davidson County, Tennessee.

Inspection & Maintenance Agreement for Private Stormwater Management Facilities recorded in Instrument No. 20071002-0117293 and in Instrument No. 20141202-0110280 Register's Office for Davidson County, Tennessee.

Subject to easement in Book 5738, page 819, Partial Abandonment of Easement in Instrument No. 20080826-0087638 Register's Office for Davidson County, Tennessee.

Subject to Permanent Easement Agreement recorded in Instrument No. 20090707-0063325 Register's Office for Davidson County, Tennessee.

All matters of record in Instrument No. 20140722-0064838, Register's Office for Davidson County, Tennessee.

Subject to Easement Deed to U.S. Sprint Communications Company recorded in Instrument No. 20140114-0003778 and Affidavit recorded in Instrument No. 20140416-0031703, Register's Office for Davidson County, Tennessee.

Subject to Charter for Avondale Park Owners' Association, Inc., recorded in Instrument No. 20081203-0117350 Register's Office for Davidson County, Tennessee.

Lack of direct access to Highway I-40 from the Property, such right of access having been granted as to part of the Property by John Smallman Cowden and wife, Ruby S. Cowden, to the State of Tennessee by a judgment, a certified copy of which is of record in Book 3369, page 316, Register's Office for Davidson County, Tennessee, and a drainage easement of 0.67 acres was also granted therein to the State of Tennessee; and such right of access having also been granted as to part of the Property by Robert Newsom Hutton by deed of record in Book 3033, page 185, Register's Office for Davidson County, Tennessee.

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.

Right-of-way of all roads of the Nashville, Chattanooga & St. Louis Railway and spur tracks, if any, lying within the boundaries of the Property, including but not limited to, right-of-way having been granted by deed from S. F. Newsom to Nashville, Chattanooga & St. Louis Railway, of record in Book 341, page 277, Register's Office for Davidson County, Tennessee; by deed from S. F. Newsom to Nashville, Chattanooga & St. Louis Railway, of record in Book 350, page 371, Register's Office for Davidson County, Tennessee; by deed from J. B. Ezzell and wife, Fanny M. Ezell, to Nashville, Chattanooga & St. Louis Railway, of record in Book 362, page 561, Register's Office for Davidson County, Tennessee; and by deed from J. B. Ezzell and wife, Fanny Moran Ezell, to Nashville, Chattanooga & St. Louis Railway, of record in Book 513, page 396, Register's Office for Davidson County, Tennessee. Note that the latter deed included the grant to the Railway of perpetual right to lay and maintain a water pipe from the lot conveyed along the edge of Harpeth River in an easterly direction to a point above the mill dam for the purpose of securing water from the mill pond.

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 grant 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 access road granted by Roger N. Hutton to United State of America by Instrument of record in Book 4116, page 151, Register's Office for Davidson County, Tennessee.

Easement for water line granted by Roger N. Hutton to United States of America by Judgment, a certified copy of which is of record in Book 4364, page 895, Register's Office for Davidson County, Tennessee.

A 15 foot public roadway running parallel with the railroad right-of-way in the extreme eastern part of the Property comprising the tract of 38.71 acres conveyed to John Smallman Cowden, of record in Book 1237, page 674, Register's Office for Davidson County, Tennessee, which may be part of the property, is included in the description of such tract but expressly excluded from conveyance.

Subject to use as roadway of a strip of 15 feet wide along the southwesterly side of the Nashville, Chattanooga & St. Louis Railway right-of-way and along the west side of Lot No. 1 on the Plan of record in Book 1, page 25, Register's Office for Davidson County, Tennessee, and subject to the use for roadway a strip 12 feet wide along the line between the Dower Tract and Lot 5 according to said Plan with 6 feet there of being on the east side of the line between said Dower Tract and Said Lot 5, and 6 feet thereof being on the west side of the line between said Dower Tract and said lot 5, all of said roadways having been established by decree entered in the Chancery Court of Davidson County, Tennessee, in the suit of R. P. Hutton et al, vs. J. B. Ezell, docket Nos. 25,062 and 26,939 (references thereto appear in a deed of record in Book 840, page 540, Register's Office for Davidson County, Tennessee, and in subsequent deeds).

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 for 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).

Advertising space lease of record in Book 4494, page 882, Register's Office for Davidson County, Tennessee. (This lease was executed March 15, 1971, by Lineberger Development Co. to National Advertising Company, which lease contains an initial 10-year term and an extension on a year-to-year basis thereafter unless earlier terminated. No termination or extension documents appear of record.)

Oil and gas lease from John Smallman Cowden and wife, Ruby S. Cowden, to B. G. Pratte, dated September 2, 1959, of record in Book 3084, page 317, Register's Office for Davidson County, Tennessee. (The lease was for a term of 5 years and "as long thereafter as oil and gas or either is produced from said land by lessee. No termination or extension documents appear of record.)

Title to that portion of the Property embraced within the high and low watermark of the Big Harpeth River.

Subject to Riparian Rights claimed or asserted by surrounding land owners and the State of Tennessee.

Title to that portion of the Property embraced within the bounds of any roads or highways.

Lack of access to McCrory Lane.

That portion of the Property embraced within the bounds of any cemetery, with rights of ingress and egress thereto.

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 Allison, Inc., and The Lamar Corporation, of record in Book 6078, page 619, Register's Office for Davidson County, Tennessee.

A portion of the 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.

Matters shown on the survey by Crawford Land Surveyors, P.C., dated September 7, 2004, and last revised December 3, 2004.

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

Subject to easements of record in Book 10748, page 876, Register's Office for Davidson County, Tennessee.

Subject to Cemetery, with easement for ingress and egress.

Contract between Louisville and Nashville Railroad Company and Joe M. Rogers, of record in Book 5348, page 362, Register's Office for Davidson County, Tennessee, and assignment of contract between Joe M. Rogers and Buck Allison Incorporated, of record in Book 5902, page 469, Register's Office for Davidson County, Tennessee.

Abstract of suit of record as Instrument No. 20021017-0127902, Register's Office for Davidson County, Tennessee.

Quitclaim Deed to Avondale Park Owners' Association, Inc. for Open Space Areas of record in Instrument No. 20170130-0009317, Register's Office for Davidson County, Tennessee.

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

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

All other easements and restrictions of record.

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: (X)
This is improved: ( ) property, known as: **AVONDALE LOT 672 Phase 3, Section 3, 1752 Eastwick Lane, Nashville, TN. Davidson County, Tennessee 37221; LOT 675 Phase 3, Section 3, 1764 Eastwick Lane, Nashville, TN. Davidson County, Tennessee 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 OUR HANDS this 13 day of October, 2017.

Avondale Residential, Inc.

By:	R. Eric McGregory
It's	Authorized Agent

R. Eric McGregory

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, the undersigned a Notary Public within and for the State and County aforesaid, personally appeared R Eric McGregory with whom I am personally acquainted and who upon his oath(s) acknowledged himself to be the Authorized Agent of Avondale Residential, Inc., and that he as such Authorized Agent, being authorized so to do executed the foregoing instrument for the purpose therein contained, by signing the name of the company by himself as such Authorized Agent of Avondale Residential, Inc.,

Witness my hand and official seal at office in Nashville, Tennessee on this the 13th day of October, 2017.

Wendy Hampton

Notary Public

My commission expires: 9-16-2020

WENDY HAMPTON
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

Avondale Residential, Inc.

By:	Michael Smith
It's	Secretary

STATE OF TENNESSEE
COUNTY OF _____

Before me, the undersigned a Notary Public within and for the State and County aforesaid, personally appeared Michael Smith with whom I am personally acquainted and who upon his oath(s) acknowledged himself to be the Secretary of Avondale Residential, Inc., and that he as such Secretary, being authorized so to do executed the foregoing instrument for the purpose therein contained, by signing the name of the company by himself as such Secretary of Avondale Residential, Inc.,

Witness my hand and official seal at office in _____, Tennessee on this the _____ day of _____, 2017.

_____

Notary Public

My commission expires: _____

Witness OUR HANDS this 16th day of Oct., 2017.

Avondale Residential, Inc.

By:	
It's	Authorized Agent

STATE OF TENNESSEE FL
COUNTY OF Walton

Before me, the undersigned a Notary Public within and for the State and County aforesaid, personally appeared _____with whom I am personally acquainted and who upon his oath(s) acknowledged himself to be the Authorized Agent of Avondale Residential, Inc., and that he as such Authorized Agent, being authorized so to do executed the foregoing instrument for the purpose therein contained, by signing the name of the company by himself as such Authorized Agent of Avondale Residential, Inc.,

Witness my hand and official seal at office in_____, Tennessee on this the_____ day of _____, 2017.

_____

Notary Public

My commission expires: _____

Avondale Residential, Inc.

By:	Michael Smith
It's	Secretary

Michael Smith

STATE OF TENNESSEE FL
COUNTY OF Walton

Before me, the undersigned a Notary Public within and for the State and County aforesaid, personally appeared Michael Smith with whom I am personally acquainted and who upon his oath(s) acknowledged himself to be the Secretary of Avondale Residential, Inc., and that he as such Secretary, being authorized so to do executed the foregoing instrument for the purpose therein contained, by signing the name of the company by himself as such Secretary of Avondale Residential, Inc.,

Witness my hand and official seal at office in Santa Rosa Beach, FL, Tennessee on this the 16th day of October 2017.

Rachel Huff

Notary Public

My commission expires: _____

RACHEL HUFF
MY COMMISSION # GG 066160
EXPIRES: January 25, 2021
Bonded Thru Notary Public Underwriters