SPECIAL WARRANTY DEED

Karen Johnson Davidson County
Batch# 317231 DEEDWARRSP
11/19/2019 08:38:02 AM 2 pgs
Fees: $13.00 Taxes: $1,473.16

20191119-0119040

State of Tennessee
County of Davidson

The actual consideration or value, whichever is greater, for this transfer is **$398,151.00.**

Affiant

Subscribed and sworn to before me, this the **6th** day of **November, 2019**.

Notary Public

My commission expires: 05/29/2020

JESSICA SILLS Notary Public STATE AT LARGE KENTUCKY NOTARY PUBLIC (AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
Attorneys Title Company, Inc.
2927 Berry Hill Drive, Nashville, TN 37204-3126

Address of New Owner(s) as follows:	Send Tax Bills To:	Map-Parcel Numbers
Austin T. Smith **Katherine A. Smith**	Austin T Smith Katherine A. Smith	085-14-0-8-B-005.00
2947 Jenry Drive	2947 Jenry Drive	
Nashville, TN 37214	Nashville, TN 37214	

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

BMCH Tennessee, LLC, a Delaware limited liability company

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

Austin T Smith and Katherine A Smith, husband and wife

HEREINAFTER CALLED THE 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 No. 5 on the Final Plat of Donelson Downs, a Planned Unit Development, of record in Instrument No. 20190221-0015852, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

Being part of the same property conveyed to BMCH Tennessee, LLC, a Delaware limited liability company by Special Warranty Deed dated October 6th, 2017 from Susan Gentry Tarpy of record in Instrument No. 20171103-0112994 and Quitclaim Deed dated October 16th, 2017 of record in Instrument No. 20171103-0112995 and by Special Warranty Deed dated October 16th, 2017 from Jacqueline Noble Nave, as Trustee of The Robert B. Noble Revocable Living Trust u/a dated September 23, 2003 of record in Instrument No. 20171103-0113015 and Quitclaim Deed dated October 16th, 2017 of record in Instrument No. 20171103-0113016 and by Special Warranty Deed dated October 16th, 2017 from Alan Perry Hall and wife, Lois Eileen Hall of record in Instrument No. 20171103-0113026 and Quitclaim Deed dated October 16th, 2017 of record in Instrument No. 20171103-0113027 and by Special Warranty Deed dated October 16th, 2017 from Janice Gail Franks, Kenneth Dale Hall and Alan Perry Hall of record in Instrument No. 20171103-0113165, Register's Office for Davidson County, Tennessee.

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

1) All matters shown on the Plan of record in Instrument No. 20190221-0015852, Register's Office for Davidson County, Tennessee;

2) Declaration of Covenants, Conditions and Restrictions for Donelson Downs, of record in Instrument No. 20190423-0037390, Register's Office for Davidson County, Tennessee;

3) By-Laws of Donelson Downs Owner's Association, Inc. appended thereto as Exhibit "B", Register's Office for Davidson County, Tennessee;

4) Charter of Donelson Downs Owner's Association, Inc. of record in Instrument No.20190423-0037389, Register's Office for Davidson County, Tennessee;

5) Easements for Water Mains of record in Book 722, Page 303 and Book 722, Page 328, Register's Office for Davidson County, Tennessee;

6) Restrictions of record in Book 1102, Page 139, Register's Office for Davidson County, Tennessee;

7) Warranty Deed and Flowage Easement of record in Book 2278, Page 315, Register's Office for Davidson County, Tennessee;

8) Perpetual Easement for Highway Purposes of record in Book 4758, Page 444, Book 4764, Page 804 and Book 4828, Page 296, Register's Office for Davidson County, Tennessee;

9) Agreement for Dedication of Easement for Sanitary Sewer and/or Storm Drainage of record in Book 4786, Page 795, Book 4786, Page 798, Book 5180, Page 988, Book 5182, Page 563, and Book 5275 Page 537, Register's Office for Davidson County, Tennessee;

10) Agreement for the Dedication of a Temporary Easement for the Construction of Sanitary Sewers and/or Drainage Improvements or Water Mains of record in Book 8059, Page 492, Register's Office for Davidson County, Tennessee;

11) Right of Way Acquisition and Temporary Construction Easement of record in Instrument No. 20031203-0173516, Instrument No. 20031203-0173518, Instrument No. 20040109-0003634, and Instrument No. 20040109-0003644, Register's Office for Davidson County, Tennessee;

12) Easement for the flow of Stones River and the rights of the public therein.

13) Rights of upper and lower riparian owners to the flow of the water of Stones River, free from diminution or pollution.

14) Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of Stones River.

15) Declaration of Restrictions and Covenants for Stormwater Facilities and Systems of record in Instrument No. 20180418-0036711, Register's Office for Davidson County, Tennessee;

16) Taxes for 2019, have been prorated between the parties and were paid by the Grantor herein and for the subsequent years, not yet due and payable.

This is Improved (____) Unimproved (_X___) property, known as **2947 Jenry Drive Nashville, TN 37214**

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 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 **6th** day of **November, 2019.**

BMCH Tennessee, LLC, a Delaware limited liability company
By: UCP, LLC, a Delaware limited liability company, as sole Member

By:_____
John Hennebery, Division President

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared **John Hennebery**, 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 **Division President of UCP, LLC**, a Delaware limited liability company (the "UCP"), and who further acknowledged the UCP to be the sole **Member of BMCH Tennessee, LLC**, the within named bargainor, a Delaware limited liability company, and that he as such Division President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing for and in behalf of the UCP by himself as such **Division President,** said UCP signing as sole Member.

Witness my hand and official seal at Nashville, Tennessee, this **6th** day of **November, 2019.**

KELLY STENBERG
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 3-8-2022

Kelly Stenberg
Notary Public

My Commission Expires: 3/8/22

Return To:
Legacy Title Company, LLC
1301 Clear Springs Trace, Ste. 200
Louisville, KY 40223