SPECIAL WARRANTY DEED

FROM: BYRD DEVELOPMENT PARTNERS

TO: CENTEX HOMES CORPORATION

| [ADDRESS NEW OWNER: | [STREET ADDRESS OF SUBJECT PROPERTY: | MAP-PARCEL NOS.] |
|---|---|---|
| [Centex Homes Corporation | [New Hope Road | Map 76, Parcel 36] |
| [105 Bonnabrook Drive | [NAME OF MORTGAGEE:] | (Davidson County)] |
| [Suite 200 | [ NONE | Map 75, Parcel 1.01] |
| [Hermitage, TN 37076 | [ | (Wilson County)] |

[THIS INSTRUMENT PREPARED BY: Barrett B. Sutton, Jr., 3305 West End Avenue, Nashville, Tennessee 37203]

[STATE OF TENNESSEE:
[COUNTY OF DAVIDSON:
[
[ The actual consideration or value, whichever is greater, for this transfer is $702,460.00.
[
[ AFFIANT
[ SUBSCRIBED AND SWORN TO before me, this 11 day of March, 1987.
[
[ NOTARY PUBLIC
[MY COMMISSION EXPIRES: 5/13/89

FOR AND IN CONSIDERATION of Ten and No/100 ($10.00) Dollars cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Byrd Development Partners, a Tennessee general partnership comprised of Barney D. Byrd and Andrew W. Byrd ("Grantor"), has this day bargained and sold, and does hereby transfer and convey unto Centex Homes Corporation, a Nevada corporation ("Grantee"), its successors and assigns, certain real estate in Davidson and Wilson Counties, Tennessee, as follows: that certain real estate described on Exhibit "A" which is attached hereto and incorporated herein by reference, including all improvements thereon and all right, title, and interest of Grantor in and to any adjacent streets, roads, and rights-of-way.

This is unimproved property located on New Hope Road and Old Lebanon Dirt Road.

03/11 1982.50- CHECK

760

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title, and interest thereto belonging, to the said Grantee, Grantee's successors, and assigns forever. Grantor covenants that Grantor is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set forth on Exhibit "B" which is attached hereto and incorporated herein by this reference.

Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said real estate to Grantee, Grantee's successors and assigns against the lawful claims of all persons whomsoever claiming by, through, or under Grantor.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 11 day of March, 1987.

GRANTOR:

BYRD DEVELOPMENT PARTNERS, a Tennessee general partnership

BY: Andrew W. Byrd
Andrew W. Byrd, General Partner

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Before me, Barrett B. Sutton, Jr., a Notary Public of the state and county aforesaid, personally appeared Andrew W. Byrd, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a partner of Byrd Development Partners, the within named bargainor, a partnership, and that he as such partner executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

WITNESS MY HAND AND SEAL, at office in Nashville, Tennessee, this 11 day of March, 1987.

Barrett B. Sutton, Jr.
NOTARY PUBLIC

BARRETT B. SUTTON NOTARY PUBLIC AT LARGE

My Commission Expires: May 13, 1989

EXHIBIT "A"

LEGAL DESCRIPTION

Being a tract of land in the Second Civil District of Davidson County and in Wilson County, Tennessee, located on the easterly margin of New Hope Road and the southeasterly margin of Old Lebanon Dirt Road, and being more particularly described as follows:

BEGINNING at an iron pin in the northerly line of the property conveyed to Irene Lawrence by deed of record in Book 5701, Page 36, R.O.D.C., said pin also being in the easterly margin of New Hope Road;

THENCE, with said easterly margin, N 12° 12' 30" E, 368.89 feet to an iron pin;

THENCE, with a curve to the left 80.44 feet to an iron pin, said curve having a central angle of 36° 52' 17", a radius of 125.00 feet, a tangent of 41.67 feet and a chord of N 06° 13' 18" W, 79.06 feet;

THENCE, leaving said easterly margin with the easterly line of the property conveyed to Robert Hughes by deed of record in Book 5998, Page 406, R.O.D.C, N 12° 12' 30" E, 327.39 feet;

THENCE, leaving said easterly line with the southerly margin of Old Lebanon Dirt Road, N 39° 20' 43" E, 334.24 feet to an iron pin;

THENCE, with a curve to the right 167.91 feet to an iron pin, said curve having a central angle of 8° 16' 17", a radius of 1,163.08 feet, a tangent of 84.10 feet and a chord of N 43° 28' 52" E, 167.76 feet;

THENCE, N 47° 37' 01" E, 250.62 feet to an iron pin;

THENCE, with a curve to the right 392.41 feet to an iron pin, said curve having a central angle of 47° 20' 02", a radius of 475.00 feet, a tangent of 208.18 feet and a chord of N 71° 17' 01" E, 381.35 feet;

THENCE, S 85° 03' E, 93.15 feet to an iron pin, said iron pin being the northwest corner of the property conveyed to Charles E. Jones by deed of record in Book 5611, Page 499, R.O.D.C.;

THENCE, leaving said southerly margin with the westerly line of said Jones property, S 06° 12' 07" W, 371.12 feet to an axle;

THENCE, leaving said westerly line with the southerly line of said Jones property, S 83° 47' 53" E, 225.00 feet to an one-inch pipe;

THENCE, leaving said southerly line with the easterly line of said Jones property, N 20° 45' 40" E, 390.98 feet to an iron pin in the southerly margin of Old Lebanon Dirt Road;

THENCE, with said southerly margin, with a curve to the left 224.03 feet to an iron pin, said curve having a central angle of 14° 25' 26", a radius of 889.90 feet, a tangent of 112.61 feet, and a chord of N 86° 24' 38" E, 223.44 feet;

THENCE, N 79° 11' 55" E, 246.80 feet to an iron pin;

THENCE, leaving said southerly margin, S 07° 55' 59" W, 577.59 feet to an iron pin on the westerly boundary of H.G. Chandler by deed of record in Book 402, Page 568, R.O.D.C., Tennessee;

THENCE, with the westerly boundary of Chandler, the following calls:

S 02° 57' 30" W, 474.90 feet to an iron pin;
S 79° 25' 39" E, 443.26 feet to an iron pin;
S 08° 00' 57" W, 403.69 feet to an iron pin;
N 80° 20' 41" W, 261.91 feet to an iron pin;
S 10° 41' 37" W, 419.07 feet to an iron pin;

THENCE, leaving said westerly line with the northerly line of the property conveyed to A.D. Ringemann, Trustee, by deed of record in Book 6011, Page 777, R.O.D.C., N 78° 44' 39" W, 1,069.99 feet to an iron pin, said iron pin being the northeasterly corner of the property conveyed to Richard Harris Smith by deed of record in Book 1534, Page 273, R.O.D.C.;

THENCE, with the northerly line of said Smith property, N 78° 47' 15" W, 738.91 feet to an iron pin; said iron pin also being the southeasterly corner of the property conveyed to Irene Lawrence by deed of record in Book 5701, Page 36, R.O.D.C.;

THENCE, with the easterly line of said Lawrence property, N 12° 12' 30" E, 75.00 feet to an iron pin;

THENCE, with the northerly line of said Lawrence property, N 79° 03' 11" W, 75.00 feet to the point of beginning.

Containing 2,781,631 square feet, or 63.86 acres, more or less, according to the survey of Barge, Waggoner, Sumner and Cannon, dated October 23, 1986.

BEING the same property conveyed to Byrd Development Partners by deed of record in Book 7077, Page 988, Register's Office for Davidson County, and in Deed Book 402, Page 285 Register's Office for Wilson County, by deed of record in Book 7077, Page 993, Register's Office for Davidson County, and in Deed Book 402, Page 286, Register's Office for Wilson County, and by deed of record in Book 7079, Page 208, Register's Office for Davidson County, and in Deed Book 402, Page 289, Register's Office for Wilson County.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. 1987 real estate taxes, which have been assumed by Grantee.

2. All matters shown on the survey of Barge, Waggoner, Sumner & Cannon, dated October 23, 1986, revised December 12, 1986, File No. 10178.

3. Obligations imposed by sewer easements of record in Book 7079, Page 196, as re-recorded in Book 7083, Page 435, Register's Office for Davidson County, Deed Book 402, page 287, Register's Office for Wilson County, and of record in Deed Book 402, Page 418, Register's Office for Wilson County.

02940

IDENTIFICATION REFERENCE

MAR 11 2 56 PM '87

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR _____

BOOK 7164 PAGE 518

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | | | 702460.00 | CANT. |
| | | | 1967.00 | CSTAX |
| | | | .50 | PRFEE |
| | | | 15.00 | MOTX |
| | | | | CHECK 1982.50- |
| | | | 07608 03/11/87 | BAL .00 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

02940

IDENTIFI REFERENCE

MAR 11 2 56 PM '87

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 55907