BOOK 11577 PAGE 623

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $ 50.00 .

Affiant

Subscribed and sworn to before me, this the 16th day of JULY, 1999.

Notary Public

My Commission Expires: 10-22-2001

THIS INSTRUMENT PREPARED BY:
JOHN T. COOK, ATTORNEY AT LAW
JOHN T. COOK, P.C.
2927 Berry Hill Drive
Nashville, Tennessee 37204

MAP 087-00-0
Part of PARCELS 185 & 186

ADDRESS NEW OWNER AS:

CHESNEY GLEN HOMEOWNERS' ASSN, INC
c/o Beazer Homes Corp. D/B/A
Phillips Builders
2910 Kraft Drive
Nashville, TN 37204

SEND TAX BILLS TO:

"NEW OWNER"

W A R R A N T Y D E E D

IN ACCORDANCE with the Declaration of Covenants, Conditions, and Restrictions, of record in Book 10278, Page 279, and as amended by the First Amendment in Book 10449, Page 215; Second Amendment in Book 10449, Page 217; First Supplement in Book 10469, Page 924; Second Supplement in Book 10528, Page 73; and Third Supplement in Book 10640, Page 944, all of record in the Register's Office for Davidson County, Tennessee, previously executed by the Grantor herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **BEAZER HOMES CORP. D/B/A PHILLIPS BUILDERS, a Tennessee corporation**, hereinafter called the "**Grantor**", has bargained and sold, and by these presents does transfer and convey unto **CHESNEY GLEN HOMEOWNERS' ASSOCIATION, INC., a not-for-profit corporation**, hereinafter called the "**Grantee**", its successors and assigns, certain tracts or parcels of land in Davidson County, Tennessee, described as follows, to-wit:

ALL "Open Space" or "Common Area" as defined in Declaration of Covenants, Conditions, and Restrictions of Chesney Glen, of record in Book 10278, Page 279, and as amended by the First Amendment in Book 10449, Page 215; Second Amendment in Book 10449, Page 217; First Supplement in Book 10469, Page 924; Second Supplement in Book 10528, Page 73; and Third Supplement in Book 10640, Page 944, all of record in the Register's Office for Davidson County, Tennessee, as shown on the Plan of Chesney Glen, a Planned Unit Development, Section 1A, as of record in Book 9700, Page 288, and Section 1B, as of record in Book 9700, Page 289, and Section Two, as of record in Book 9700, Page 434, and Section Three, as of record in Book 9700, Page 401, and Section Four, as of record in Book 9700, Page 844, all of record in said Register's Office, to which said plans reference is made for a complete and accurate legal description thereof.

BEING part of the same property conveyed to Phillips Builders, Inc., by Deed from David Carmack Binkley, James Everette Binkley, Richard Neil Binkley, Raymond Edward Binkley, and Mary Ann Binkley Organ, now Luffman, heirs and devisees under the Last Will and Testament of Edward Carmack Binkley, deceased, of record in Book 10017, Page 699,

Register's Office for Davidson County, Tennessee. The corporate name of Phillips Builders, Inc., has been changed to Beazer Homes Corp. by Articles of Amendment to the Charter as recorded in Book 9922, Page 902, Register's Office for Davidson County, Tennessee. A corporate resolution reflecting said change is of record in Book 10079, Page 172, said Register's Office. The said Beazer Homes Corp. has filed an assumed name as Phillips Builders with the Tennessee Secretary of State on May 24, 1996.

THE CONVEYANCE OF THIS PROPERTY IS MADE EXPRESSLY SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. The Common Area above-referred is to be held for the common uses and enjoyment of the owners of all lots on the Plans of Chesney Glen, a Planned Unit Development, Section 1A, as of record in Book 9700, Page 288, and Section 1B, as of record in Book 9700, Page 289, and Section Two, as of record in Book 9700, Page 434, and Section Three, as of record in Book 9700, Page 401, and Section Four, as of record in Book 9700, Page 844, all of record in the Register's Office for Davidson County, Tennessee, and the members of Chesney Glen Homeowners' Association, Inc., and not for the public at large (except as provided on said plans).

2. All of the terms and conditions of the Declaration of Covenants, Conditions and Restrictions applicable to the Plans of Chesney Glen, of record as aforementioned.

3. The terms, conditions, powers, limitations, and purposes as contained in the Articles of Incorporation of Chesney Glen Homeowners' Association, Inc., of record in Book 10290, Page 256, said Register's Office, and the By-Laws of the said Association, of record in Book 10278, Page 279, and as supplemented and amended, Register's Office for said County.

4. Any use and/or development of the Common Areas shall be limited to recreational or other related activities and shall not in any event include the use or development for residential or commercial building.

5. Easements as shown on the referenced plans.

TO HAVE AND TO HOLD the said tracts or parcels of land, together with appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns, forever; and Grantor covenants with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered unless otherwise herein set out; and does further covenant and bind itself and its successors and/or assigns, to warrant and forever defend the title to the said land to the said Grantee, it successors 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.

IN WITNESS WHEREOF, the Grantor herein has executed this conveyance, by its duly authorized agent, this the 16th day of July, 1999.

BEAZER HOMES CORP. D/B/A
PHILLIPS BUILDERS,
A TENNESSEE CORPORATION

BY: H Eddie Phillips

TITLE: President

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared H. EDDIE PHILLIPS, 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 PRESIDENT of **BEAZER HOMES CORP. D/B/A PHILLIPS BUILDERS**, a Tennessee corporation, the within named bargainor, and that he as such PRESIDENT, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as such officer.

Witness my hand and official seal at Nashville, Tennessee, this 16th day of July, 1999.

My Commission Expires: 10-22-2001

Kelly J Warren
Notary Public

C:\KG\COMAREA.PUD

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REGISTER'S OFFICE