Instr:200001130004767 Page: 1 OF 5
REC'D FOR REC 01/13/2000 1:51:25PM
RECORD FEE: $23.00
M. TAX: $0.00 T. TAX: $1844.38

FILE BOX 57

THIS INSTRUMENT PREPARED BY: **Hugh W. Entrekin** **TUNE, ENTREKIN & WHITE, P.C.** 21st Floor, First American Center 315 Deaderick Street Nashville, Tennessee 37238 (615) 244-2770	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater for this transfer is $498,480.00. AFFIANT Subscribed and sworn to before me, this 13th day of January, 2000. NOTARY PUBLIC My Commission Expires: 9/29/2001

Address New Owners as Follows:	**Send Tax Bills To:**	**Map-Parcel Number:**
Beazer Homes Corp. d/b/a Phillips Builders 2910 Kraft Drive Nashville, TN 37204	SAME	Map 64-16 Parcels 16 and portion of Parcel 26

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged,

Gilbert S. Merritt and Angie Cantrell Merritt , (collectively "Grantor") do hereby bargain, sell, transfer and convey unto Beazer Homes Corp. d/b/a Phillips Builders, a Tennessee corporation ("Grantee") its successors and assigns, property located in Nashville Davidson County, Tennessee and more particularly described as follows:

See Attached Exhibit A

Being the same property conveyed to Gilbert S. Merritt by deed from J & P, Inc. of record in Book 5699, page 535 (Tax Parcel 16), and (as to Parcel 26) being a portion of the property conveyed to Gilbert S. Merritt and wife Angie Cantrell Merritt by deed from Leonard L. Clark and wife Jesse P. Clark of record in Book 1302, page 218, Register's Office for Davidson County, Tennessee, said property being solely vested in Gilbert S. Merritt by deed of record in Book 1813, page 215, said Register's Office. The said Gilbert S. Merritt having since died leaving his interest to his son Gilbert S. Merritt, Jr. and to Angie Cantrell Merritt, his wife.

This conveyance is subject to matters shown on Exhibit B attached hereto.

TO HAVE AND TO HOLD said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the said Beazer Homes Corp. d/b/a Phillips Builders, its successors and assigns, forever.

AND Gilbert S. Merritt and Angie Cantrell Merritt, do hereby covenant with the said Beazer Homes Corp. d/b/a Phillips Builders that they are lawfully seized and possessed of said land in fee

simple, have a good right to convey it and that the same is unencumbered, except as otherwise provided herein.

AND Gilbert S. Merritt and Angie Cantrell Merritt do further covenant and bind themselves, their heirs, representatives and assigns to warrant and forever defend the title to said land to the said Beazer Homes Corp. d/b/a Phillips Builders, its successors and assigns against the lawful claims of all persons whomsoever.

Robin Saxon Merritt, wife of Gilbert S. Merritt, Jr. joins in this conveyance for the sole purpose of quitclaiming any and all interest she may have in the subject property.

IN WITNESS WHEREOF, this Warranty Deed has been executed this 13th day of January, 2000.

Gilbert S. Merritt a/k/a Gilbert S. Merritt, Jr.

X Robin Saxon Merritt
Robin Saxon Merritt

Angie Cantrell Merritt by Gilbert S. Merritt
Angie Cantrell Merritt, a single person
By: Gilbert S. Merritt, Attorney-In-Fact per Power of Attorney recorded at Instrument No. 20000113000047606, Register's Office for Davidson County, Tennessee.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Gilbert S. Merritt (a/k/a Gilbert S. Merritt, Jr.) and wife Robin Saxon Merritt, the bargainors , with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this 13th day of January, 2000.

NOTARY PUBLIC

My commission expires: Aug 27, 2001

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Gilbert S. Merritt as Attorney-In-Fact for Angie Cantrell Merritt, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this 13th day of January, 2000.

NOTARY PUBLIC

My commission expires: Aug 27, 2001

EXHIBIT B

1. Current year's taxes - Map 64-16, Parcels 16 and 26, a lien, but not yet due and payable.

2. Utility Easement to Cumberland Utility District of record in Book 4910, page 838, Register's Office for Davidson County, Tennessee.

3. Ingress and Egress rights described in deed of record in Book 5699, page 537, said Register's Office.

Exhibit A p.1 of 2

Prepared by: Anderson-Delk & Associates, Inc.
618 Grassmere Park Drive, Suite 4
Nashville, Tennessee 37211

Property Description
Tract Two
Gilbert S. Merritt Property

Being a 16.616 more or less acre tract of land lying in the 11th Councilmanic District of Davidson County, Tennessee, and being a portion of the property conveyed to Gilbert S. Merritt as evidenced by deed of record in Deed Book 1302, page 218, Register's Office Davidson County, Tennessee, and all of the property conveyed to Gilbert S. Merritt as evidenced by deed of record in Deed Book 5699, page 535, Register's Office Davidson County, Tennessee, and being more particularly described as follows:

Beginning at an iron pin found on the easterly right-of-way of Andrew Jackson Parkway (70-foot right-of-way), said point being the most northwesterly corner of Lot 1 on the plan of Revised Section 4, Jackson Square, of record in Plat Book 5200, page 372, Register's Office Davidson County, Tennessee;
Thence with the easterly margin of Andrew Jackson Parkway,
North 01 Degrees 03 Minutes 34 Seconds East a distance of 60.49 feet to an iron pin found at the most southwesterly corner of Lot 1 on the plan of Jackson Square Subdivision, of record in Plat Book 5190, page 404, Register's Office Davidson County, Tennessee;
Thence with the southerly line of said Lot 1,
South 81 Degrees 37 Minutes 58 Seconds East a distance of 211.39 feet to an iron pin set;
Thence leaving the easterly line of said plan of Jackson Square and with a new line, severing said Merritt Property, the following twelve calls:
South 81 Degrees 37 Minutes 58 Seconds East a distance of 7.13 feet to an iron pin set;
Thence along a curve to the right having a radius of 1308.37 feet, through a central angle of 14 Degrees 57 Minutes 15 Seconds, said curve having a chord direction of South 74 Degrees 09 Minutes 20 Seconds East, and a chord length of 340.52 feet to an iron pin set;
Thence North 23 Degrees 19 Minutes 18 Seconds East a distance of 203.42 feet to an iron pin set;
Thence South 62 Degrees 49 Minutes 30 Seconds East a distance of 311.60 feet to an iron pin set;
Thence along a curve to the left having a radius of 311.60 feet through a central angle of 17 Degrees 50 Minutes 19 Seconds, said curve having a chord direction of North 18 Degrees 15 Minutes 20 Seconds East, and a chord length of 96.62 feet to an iron pin set;
Thence South 80 Degrees 39 Minutes 50 Seconds East a distance of 210.70 feet to an iron pin set;
Thence South 62 Degrees 49 Minutes 30 Seconds East a distance of 563.28 feet to an iron pin set;
Thence South 84 Degrees 17 Minutes 34 Seconds East a distance of 86.16 feet to an iron pin set;
Thence North 52 Degrees 53 Minutes 21 Seconds East a distance of 165.37 feet to an iron pin set;
Thence along a curve to the right having a radius of 325.00 feet, through a central angle of 07 Degrees 47 Minutes 26 Seconds, said curve having a chord direction of South 33 Degrees 12 Minutes 56 Seconds East, and a chord length of 44.16 feet to an iron pin set;
Thence South 29 Degrees 19 Minutes 13 Seconds East a distance of 23.52 feet to an iron pin set;
Thence North 60 Degrees 40 Minutes 47 Seconds East a distance of 281.92 feet to an iron pin set in the westerly line of Lot 268 on the plan of Sherwood Forest, Section Four, of record in Plat Book 4460, page 182, Register's Office Davidson County, Tennessee;
Thence with said line of Sherwood Forest, Section Four, the following two calls:
South 24 Degrees 56 Minutes 25 Seconds East a distance of 392.00 feet to an iron pin set;
Thence South 30 Degrees 16 Minutes 19 Seconds East a distance of 201.28 feet to an iron pin set;
Thence leaving said line of Sherwood Forest, Section Four, and with the northerly line of the Robert S. McDonald and Clyde Driver Property of record in Deed Book 5984, page 870, Register's Office Davidson County, Tennessee,
North 81 Degrees 05 Minutes 31 Seconds West a distance of 348.95 feet to an iron pin set;
Thence with the westerly line of said McDonald and Driver Property,

Property Description
16.616 Acres
Tract Two
Gilbert S. Merritt et ux Property
Page Two

South 07 Degrees 27 Minutes 07 Seconds West a distance of 185.00 feet to an iron pin set;
Thence leaving McDonald and Driver's westerly line, and with a new line, severing said Merritt Property, the following five calls:
North 84 Degrees 44 Minutes 37 Seconds West a distance of 290.00 feet to an iron pin set;
Thence North 62 Degrees 49 Minutes 30 Seconds West a distance of 1005.50 feet to an iron pin set;
Thence South 27 Degrees 10 Minutes 30 Seconds West a distance of 60.00 feet to an iron pin set;
Thence North 62 Degrees 49 Minutes 30 Seconds West a distance of 260.00 feet to an iron pin set;
Thence along a curve to the left having a radius of 1248.37 feet, through a central angle of 18 Degrees 48 Minutes 27 Seconds, said curve having a chord direction of North 72 Degrees 13 Minutes 44 Seconds West, and a chord length of 407.95 feet to an iron pin found at the most northeasterly corner of the afore-said Lot1, Jackson Square, Revised Section Four;
Thence with the northerly line of said Lot 1,
North 81 Degrees 37 Minutes 58 Seconds West a distance of 210.83 feet to the Point of Beginning, containing 16.616 acres or 723,780 square feet, more or less.