FILE BOX 57

THIS INSTRUMENT PREPARED BY:
Hugh W. Entrekin
TUNE, ENTREKIN & WHITE, P.C.
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315 Deaderick Street
Nashville, Tennessee 37238
(615) 244-2770

Davidson County DEEDWARR
Recvd: 06/08/01 10:32 4pgs
Fees:19.00 Taxes:2097.39
20010608-0060612

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater for this transfer is $566,863.44

AFFIANT

Subscribed and sworn to before me this 7th day of June 2001.

NOTARY PUBLIC

My Commission Expires: 9/29/01

PATTY J. WELCH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. My Commission Expires SEPT. 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 Portion or 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, Jr. ("Grantor") does 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 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 intestate in 1955 leaving his interest to his sole heirs, his son Gilbert S. Merritt, Jr. and a dower interest to his wife Angie Cantrell Merritt. Angie Cantrell Merritt having since died vesting title solely in Gilbert S. Merritt, Jr.

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,Jr. does hereby covenant with the said Beazer Homes Corp. d/b/a

Phillips Builders that he is lawfully seized and possessed of said land in fee simple, has a good right to convey it and that the same is unencumbered, except as otherwise provided herein.

AND Gilbert S. Merritt, Jr. does further covenant and bind himself,, his 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 5th day of June, 2001.

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

Robin Saxon Merritt

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.), 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 5th day of June, 2001.

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 Robin Saxon Merritt, the bargainor , with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this 5th day of June, 2001.

NOTARY PUBLIC

My commission expires: Aug. 27 2001

Exhibit A

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

Property Description

Portion of
Gilbert S. Merritt Property
Proposed Truxton Park, Section Three

Being a 17.648 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 being more particularly described as follows:

Beginning at an iron pin set in the easterly line of Fox Run Condominiums, of record in Plat Book 5200, page 148, Register's Office Davidson County, Tennessee, said point also being the most northwesterly corner of the Phillips Builders Property of record at Instrument No. 20010117-0005189, Register's Office Davidson County, Tennessee (Proposed Truxton Park, Section Two);
Thence with the easterly line of said plan of Fox Run Condominiums,
North 09 Degrees 02 Minutes 11 Seconds East a distance of 587.09 feet to a Point;
Thence leaving the easterly line of said plan of Fox Run Condominiums and severing said Merritt Property, the following seven calls:
South 80 Degrees 57 Minutes 49 Seconds East a distance of 344.89 feet to an iron pin set;
Thence South 09 Degrees 02 Minutes 11 Seconds West a distance of 1.77 feet to an iron pin set;
Thence South 80 Degrees 57 Minutes 49 Seconds East a distance of 284.51 feet to an iron pin set;
Thence South 72 Degrees 52 Minutes 33 Seconds East a distance of 176.91 feet to an iron pin set;
Thence South 61 Degrees 56 Minutes 56 Seconds East a distance of 119.69 feet to an iron pin set;
Thence South 85 Degrees 31 Minutes 47 Seconds East a distance of 65.32 feet to an iron pin set;
Thence North 57 Degrees 39 Minutes 55 Seconds East a distance of 75.91 feet to an iron pin set in the westerly line of Sherwood Forest Subdivision, Section Four, of record in Plat Book 4460, page 182, Register's Office Davidson County, Tennessee;
Thence with the westerly line of said plan of Sherwood Forest, Section Four, the following three calls:
South 32 Degrees 20 Minutes 05 Seconds East a distance of 223.44 feet to an iron pin set;
Thence South 12 Degrees 59 Minutes 55 Seconds East a distance of 357.92 feet to a concrete monument;
Thence South 24 Degrees 20 Minutes 01 Seconds East a distance of 206.12 feet to a Point;
Thence leaving the westerly line of Sherwood Forest, Section Four, and with the northerly line of an open space tract on the plan of Truxton Park, Section One, of record at Instrument No. 20001026-0108272, Register's Office Davidson County, Tennessee,
South 65 Degrees 03 Minutes 35 Seconds West a distance of 190.92 feet to a Point;
Thence with the northerly line of the afore-said Phillips Builders Property (Proposed Truxton Park, Section Two), the following five calls:
North 81 Degrees 56 Minutes 56 Seconds West a distance of 607.52 feet to an iron pin set;
Thence North 72 Degrees 43 Minutes 32 Seconds West a distance of 140.27 feet to an iron pin set;
Thence North 80 Degrees 57 Minutes 49 Seconds West a distance of 215.03 feet to an iron pin set;
Thence North 09 Degrees 02 Minutes 11 Seconds East a distance of 1.77 feet to an iron pin set;
Thence North 80 Degrees 57 Minutes 49 Seconds West a distance of 344.89 feet to the Point of Beginning containing 17.648 acres or 768,736 square feet, more or less.

EXHIBIT B

1. Current year's taxes - Map 64-16, Parcel 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.