Davidson County DEEDWARR
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Fees:23.00 Taxes:1861.78
20020123-0009368

FILE BOX 57

THIS INSTRUMENT PREPARED BY:
Hugh W. Entrekin
TUNE, ENTREKIN & WHITE, P.C.
21st Floor, AmSouth 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 $503,182.85

AFFIANT

Subscribed and sworn to before me this 22 day of January, 2002.

NOTARY PUBLIC

My Commission Expires: JUL 30 2005

PATTY J. WELCH NOTARY PUBLIC DAVIDSON COUNTY, TENN. LARGE

Address New Owners as Follows:
Beazer Homes Corp.
d/b/a Phillips Builders
2910 Kraft Drive
Nashville, TN 37204

Send Tax Bills To:
SAME

Map-Parcel Number:
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 22nd day of January, 2002.

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 22nd day of January, 2002.

NOTARY PUBLIC

My commission expires: Sept 24, 2005

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, on this 22nd day of January, 2002.

NOTARY PUBLIC

My commission expires: Sept. 24, 2005

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 Four

Being a 15.229 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 a Point in the westerly line of Lot 279 on the plan of Sherwood Forest, Section Four, said point being the most northeasterly corner of an open space tract on the plan of Truxton Park, Section Three, of record in Instrument No. 20010609-0066612, R.O.D.C. Tenn.;
Thence with the common line of the herein described tract and said plan of Truxton Park, Section Three, the following seven calls:
South 57 Degrees 39 Minutes 55 Seconds West a distance of 75.91 feet to an iron pin set;
Thence North 85 Degrees 31 Minutes 47 Seconds West a distance of 65.32 feet to an iron pin set;
Thence North 61 Degrees 56 Minutes 56 Seconds West a distance of 113.69 feet to an iron pin set;
Thence North 72 Degrees 52 Minutes 33 Seconds West a distance of 178.91 feet to an iron pin set;
Thence North 80 Degrees 57 Minutes 49 Seconds West a distance of 284.53 feet to an iron pin set;
Thence North 09 Degrees 02 Minutes 11 Seconds East a distance of 1.77 feet to a point;
Thence North 80 Degrees 57 Minutes 49 Seconds West a distance of 344.89 feet to a point in the easterly line of the plan of Fox Run Condominiums, of record in Plat Book 5200, page 148, Register's Office Davidson County, Tennessee;
Thence with said line of Fox Run Condominiums,
North 09 Degrees 02 Minutes 11 Seconds East a distance of 858.91 feet to a point;
Thence leaving said line of Fox Run Condominiums, and with a new line, severing said Merritt Property,
South 80 Degrees 57 Minutes 49 Seconds East a distance of 575.62 feet to an iron pin set in the westerly line of Lot 288 on the afore-said plan of Sherwood Forest, Section Four;
Thence with said plan of Sherwood Forest, Section Four,
South 10 Degrees 23 Minutes 05 Seconds East a distance of 192.44 feet to an iron pin set;
Thence with the common line of the herein described tract and the Richard Working et ux Property of record in Deed Book 6275, page 694, Register's Office Davidson County, Tennessee, the following three calls;
South 77 Degrees 41 Minutes 06 Seconds West a distance of 115.10 feet to an iron pin set;
Thence South 06 Degrees 43 Minutes 09 Seconds West a distance of 107.20 feet to an iron pin set;
Thence North 74 Degrees 35 Minutes 39 Seconds East a distance of 168.34 feet to an iron pin set;
Thence with the common line of the herein described tract and said plan of Sherwood Forest, Section Four, the following three calls:
South 19 Degrees 17 Minutes 05 Seconds East, passing a concrete monument found at 188.86 feet, a total distance of 283.74 feet to an iron pin set;
Thence South 07 Degrees 16 Minutes 55 Seconds West a distance of 121.00 feet to a concrete monument (found);
Thence South 32 Degrees 20 Minutes 05 Seconds East a distance of 314.41 feet to the **Point of Beginning**, containing 15.229 acres or 663,358 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.