FILE BOX 57

THIS INSTRUMENT PREPARED BY: **Hugh W. Entrekin** **TUNE, ENTREKIN & WHITE, P.C.** AmSouth Center, Suite 2100 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 $239,972.00. _____ AFFIANT Subscribed and sworn to before me, this 10th day of May, 2002. _____ NOTARY PUBLIC My Commission Expires: 7/30/05 My Commission Expires JULY 30, 2005

NOTARY PUBLIC SEAL: PATRICIA L. WELCH NOTARY PUBLIC DAVIDSON COUNTY, TENN.

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 173
Part of Parcel 142

Davidson County DEEDWARR
Recvd: 05/10/02 15:17 4pgs
Fees:23.00 Taxes:887.90
20020510-0058110

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 consideration, the receipt of which is hereby acknowledged,

Covenant Community, a Tennessee General Partnership, whose authorized general partner is Jimmy C. Davis ("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, all his right, title and interest in and to property located in Davidson County, Tennessee and more particularly described as follows:

See attached Exhibit A attached hereto.

Being a portion of the same property conveyed to **Covenant Community, a partnership** by deed from Ruth P. Stephens by deed of record in Book 5522, page 614, Register's Office for Davidson County, Tennessee.

This conveyance is subject to current years taxes which are being prorated between the parties.

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 **Covenant Community, a partnership**., does covenant with the said **Beazer Homes Corp., d/b/a Phillips Builders**, that it 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 set forth herein.

AND **Covenant Community, a partnership** does further covenant and bind itself, its successors 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.

In the event Grantee does not purchase the remaining portion of Grantor's property, Grantee agrees to provide road and utility access to any remaining portions of the Property as part of its development of the portions purchased.

IN WITNESS WHEREOF, this Warranty Deed has been executed this 10th day of May, 2002.

COVENANT COMMUNITY, A PARTNERSHIP

BY: Jimmy C. Davis
Jimmy C. Davis, Authorized General Partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Jimmy C. Davis, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be authorized partner, authorized to execute this instrument on behalf of **Covenant Community, a Tennessee General Partnership**, the within named bargain, and that he as such partner, executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and official seal at office on this the 10th day of May, 2002.

Patty J. Welch
NOTARY PUBLIC

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 7/30/05

My Commission Expires JULY 30, 2005

EXHIBIT A

Legal Description

(Covenant Tract)

A certain tract or parcel of land containing 800,175 square feet or 18.37 acres, more or less, lying and being in 31st Councilmanic District and the First Civil District of Nashville, Davidson County, Tennessee, located east of Old Hickory Boulevard and south of Mill Creek in Anitoch and being more particularly described as follows:

COMMENCING on an iron pin found in the eastern right-of-way margin of Old Hickory Boulevard west of its intersection with Bending Creek Drive (Plat Book 11700 Page 27, R.O.D.C.) and running thence South 81°43'16" East 146.98 feet to an iron pin in the western line of Martha E. Huffman (Deed Book 6280 Page 799); thence with the western and northern line of Martha E. Huffman (Deed Book 6280 Page 799) North 04°15'19" East 50.82 feet to an iron pin and South 82°38'42" East 528.36 feet to an iron pin, a common corner with John Mark Stephens (Deed Book 11494 Page 786); thence with the line of Stephens North 69°12'44" East 34.32 to a point in Indian Creek; thence down Indian Creek North 07°10'31" West 226.74 feet to a point; thence North 12°20'28" East 93.99 feet to a point; thence North 12°20'28" East 22.35 feet to a point; thence North 10°53'17" West 40.02 feet to a point; thence Morth 26°25'51" West 94.26 feet to a point; thence North 18°31'50" West 45.37 feet to a point; thence North 32° 50'51" West 46.70 feet to a point, the POINT OF BEGINNING; thence North 14°29'07" West 95.00 feet to a point in the centerline of Mill Creek; thence with Mill Creek North 23°47'47" East 120.45 feet to a point; thence North 50°39'18" East 827.54 feet to a point; thence South 32°11'32" East 289.80 feet to a point; thence South 32°11'32" East 120.00 feet to a point; thence South 32°11'32" East 50.00 feet to a point; thence South 57°48'28" West 17.78 feet to a point; thence South 23°14'40" East 128.13 feet to a point; thence South 28°28'27" East 30.55 feet to a point; thence South 16°56'33" East 86.92 feet to a point; thence North 73°03'24" East 92.32 feet to a point; thence with a curve concave to the south having a central angle of 1°40'13" a radius of 530.00 feet and being subtended by a chord which bears North 73°53'28" East 15.45 feet with an arc length of 15.45 feet and a tangent of 7.73 feet to a point; thence North 15°16'25" West 130.00 feet to a point; thence North 77°29'24" East 63.64 feet to a point; thence North 83°01'01" East 63.64 feet to a point; thence South 84°42'43" East 254.53 feet to a point; thence South 85°39'43" East 106.40 feet to a point; thence North 60°35'01" West 39.24 feet to a point; thence South 40°32'47" East 122.96 feet to a point; thence with a curve concave to the southEast having central angle of 4°15'29" a radius of 500.00 feet and a and being subtended by a chord which bears North 51°34'35" East 37.15 feet with an arc length of 37.16 feet and a tangent of 18.59 feet to a point; thence South 36°17'21" East 50.00 feet to

a point; thence South 36°17'21" East 110.00 feet to a point; thence South 45°12'18" West 50.29 feet to a point; thence North 44°47'42" West 32.22 feet to a point; thence South 48°29'28" West 369.61 feet to a point; thence North 33°45'46" West 23.62 feet to a point; thence North 83°10'55" West 1,438.72 feet to the POINT OF BEGINNING and containing 800,175 square feet or 18.37 acres, more or less.