Davidson County DEEDWARR
Recvd: 09/12/02 08:11 5pgs
Fees:28.00 Taxes:7400.00

20020912-0110994

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 $2,000,000.00

Lauren O'Brien
AFFIANT

Subscribed and sworn to before me, this 10th day of SEPTEMBER, 2002.

Joann Patterson
NOTARY PUBLIC

My Commission Expires: 9/24/05

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 141
Parcels 12 and 36

GENERAL 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,

THE VANDERBILT UNIVERSITY, A TENNESSEE NOT FOR PROFIT CORPORATION. ("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 Exhibit A attached hereto.

Being the same property conveyed to THE VANDERBILT UNIVERSITY by deed from TROY M. BRASWELL and wife, KATHRYNE G. BRASWELL of record IN Deed Book 3706, Page 122, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to matters shown on Exhibit B attached hereto. Grantor and Grantee agree that included in the above described property but specifically excluded from this conveyance is the existing cemetery (the "Cemetery") established and operated by Grantor lying along Coley Davis Boulevard and being approximately 35 feet by 77 feet. Grantor further retains an easement for ingress and egress over the subject property as required to access the Cemetery from Coley Davis Boulevard. Grantor agrees that it shall maintain the Cemetery in good and neat condition and will continue to allow all persons legally entitled thereto access to the Cemetery.

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 THE VANDERBILT UNIVERSITY does hereby 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 otherwise provided herein.

AND THE VANDERBILT UNIVERSITY does further covenant and bind itself, its 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 except as to matters listed on Exhibit A attached hereto.

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

THE VANDERBILT UNIVERSITY

By: Lauren J Brisky

Position: Vice Chancellor for Administration and Chief Financial Officer

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 LAUREN BRISKY, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Vice Chancellor + CFO of THE VANDERBILT UNIVERSITY, the bargainor, a corporation, and that she as such Vice Chancellor + CFO, being authorized so to do, executed the within instrument for the purposes therein contained by signing the name of the corporation by ~~him~~ her self as such Vice Chancellor + CFO.

WITNESS my hand and official seal at Nashville, Tennessee, on this 10th day of September, 2002.

Joann Patterson
NOTARY PUBLIC

JOANN PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY

My Commission Expires: 9/24/05

EXHIBIT A

Parcel 36 Coley Davis Road/Southern Tract

Being a parcel of land lying in the Thirty-fifth Councilmanic District of Nashville, Davidson County, Tennessee. Said parcel is located on the southerly margin The Nashville, Chattanooga & St. Louis Railway of record as V-6/7, sheet 3, dated: June 30th, 1916 and being Parcel 36 as shown on the Plat of Riverbridge Development of record as Instrument Number 200207090082561 R.O.D.C., and being more particularly described as follows:

Commencing at a point in the southerly margin of Coley Davis Road.
Said point being the northwest corner of The Meadows Subdivision of record in Plat book 6900, page 769,R.O.D.C. and the northeast corner of Parcel 12 of Riverbridge Development of record as Instrument Number 200207090082561 R.O.D.C.,

Thence, leaving said margin along or near the line of The Meadows of record in Plat book 6900, page 769,R.O.D.C., the next four calls:
South 01°46'52" West, 297.99 feet to a concrete monument;

Thence, South 03°56'08" West, 232.69 feet to a point;

Thence, South 05°00'23" West, 191.98 feet to an iron pin;

Thence, South 06°36'54" West, 354.85 feet to a point in the northerly margin of The Nashville, Chattanooga & St. Louis Railway of record as V-6/7, sheet 3, dated: June 30th, 1916;

Thence, crossing said railroad with a line perpendicular to said railroad, South 09°40'20"West, 75.00 feet to a point;

Thence, with the southerly margin of said railroad, South 80° 19' 40" East, 7.32 feet to an iron pin and the POINT OF BEGINNING;

Thence, leaving said margin along or near the line of Scenic River Farms of record in Plat Book 9700, page 554,R.O.D.C., South 08°20'32" West, 1253.46 feet to a point in the centerline of the Harpeth River;

Thence, with said centerline the next ten calls:
North 56°49'21" West, 210.44 feet to a point;

Thence, North 43°54'08" West, 210.44 feet to a point;

Thence, North 33°40'37" West, 222.88 feet to a point;

Thence, North 34°35'12" West, 175.13 feet to a point;

Thence, North 63°19'15" West, 213.41 feet to a point;

Thence, North 80°32'12" West, 166.59 feet to a point;

Thence, South 74°44'04" West, 139.89 feet to a point;

Thence, South 56°34'52" West, 139.89 feet to a point;

Thence, South 40°18'44" West, 323.92 feet to a point;

Thence, South 47°24'39" West, 486.88 feet to a point;

Thence, leaving said centerline along or near the line of United States of America of record in Deed Book 4116, page 151,R.O.D.C. the next two calls:
North 13°17'39" West, 186.37 feet to an iron pin;

Thence, North 06°52'21" East, 1343.21 feet to a point in the southerly margin of The Nashville, Chattanooga & St. Louis Railway of record as V-6/7, sheet 3, dated: June 30th, 1916;

Thence, with said margin, South 80°19'40" East, 1809.50 feet to the Point of Beginning and containing 1,792,595 square feet or 41.15 acres, more or less.

Parcel 12 Coley Davis Road/Northern Tract

Being a parcel of land lying in the Thirty-fifth Councilmanic District of Nashville, Davidson County, Tennessee. Said parcel is located on the southerly margin of Coley Davis Road approximately 283 feet west of the intersection of Dona McPherson Drive and Coley Davis Road and being Parcel 12 as shown on the Plat of Riverbridge Development of record as Instrument Number 200207090082561 R.O.D.C., and being more particularly described as follows:

Beginning at a point in the southerly margin of Coley Davis Road.

Said point being the northwest corner of The Meadows Subdivision of record in Plat book 6900, page 769,R.O.D.C. and the northeast corner of the herein-described parcel.

Thence, leaving said margin along or near the line of The Meadows of record in Plat book 6900, page 769,R.O.D.C., the next four calls:

South 01°46'52" West, 297.99 feet to a concrete monument;

Thence, South 03°56'08" West, 232.69 feet to a point;

Thence, South 05°00'23" West, 191.98 feet to an iron pin;

Thence, South 06°36'54" West, 354.85 feet to a point in the northerly margin of The Nashville, Chattanooga & St. Louis Railway of record as V-6/7, sheet 3, dated: June 30th, 1916;

Thence, with said margin, North 80°19'40" West, 1811.00 feet to a point in the southwest corner of Popular Ridge of record in Plat Book 9700, page 385,R.O.D.C.;

Thence, along or near the line of said Popular Ridge, North 05°42'22" East, 178.56 feet to an iron pin;

Thence, along or near said Popular Ridge also Popular Ridge of record in Plat Book 9700, page 571 and Plat Book 7900, page 206,R.O.D.C., North 06°35'22" East, 853.10 feet to an iron pin;

Thence, North 08°33'37" East, 116.60 feet to a point;

Thence, North 10°23'17" East, 32.39 feet to a point in the southerly margin of Coley Davis Road;

Thence, with said margin the next three calls:

South 65°51'02" East, 191.14 feet to a point;

Thence, South 68°41'02" East, 313.30 feet to a concrete monument;

Thence, along a curve concave to the north having a radius of 3119.80 feet and a central angle of 23°41'03" and being subtended by a chord having a bearing of South 80°31'34" East 1280.46 feet with an arc length of 1289.63 feet and a tangent length of 654.15 feet to the Point of Beginning and containing 1,897,465 square feet or 43.56 acres, more or less.

EXHIBIT B

1. Metro Taxes for the year 2002 and subsequent years, a lien, but not yet due or payable.

2. Easements and rights granted to Nashville, Chattanooga and St. Louis Railway as set forth in instrument of record in Book 1298, page 244, Register's Office for Davidson County, Tennessee.

3. Agreement for Dedication of Public Utilities Easement to Harpeth Valley Utilities District as set forth in instrument of record in Book 7601, page 415, Register's Office for said County.

4. Easement for flow of the waters of the Harpeth Rivers and the rights of the public therein.

5. Rights of the upper and lower riparian owners to the flow of the waters of the Harpeth River.

6. Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of the waters of the Harpeth River.