FILE BOX 57

Davidson County DEEDWARR
Recvd: 10/02/03 08:40 7pgs
Fees:38.00 Taxes:1817.08

20031002-0145230

**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 $491,103.00

AFFIANT

Subscribed and sworn to before me, this 30th day of Sept., 2003.

NOTARY PUBLIC

My Commission Expires 2/28/05

NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires JULY 22, 20

**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 52 Portion of Parcel 10

## 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,

J.E. STEVENSON, TRUSTEE ( "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 J.E. STEVENSON, TRUSTEE by deed from SISTERS OF MERCY OF THE AMERICAS, REGIONAL COMMUNITY OF CINCINNATI of record as Instrument Number 200002230017875 recorded Feb 23, 2000, Register's Office for Davidson County, Tennessee, and a portion of the property conveyed to J.E. STEVENSON, TRUSTEE BY deed from Jackie Coleman Stroud and wife Gail Alexander Stroud of record as Instrument Number 200007190071163 recorded July 19, 2000, said Register's Office.

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 J.E. STEVENSON, TRUSTEE 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 J.E. STEVENSON, TRUSTEE. 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.

IN WITNESS WHEREOF, this Warranty Deed has been executed this 30th day of September, 2003.

J.E. Stevenson Trustee
J.E. STEVENSON, TRUSTEE

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 J.E. STEVENSON, TRUSTEE, 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 30th day of September, 2003.

Patty J. Welch
NOTARY PUBLIC

My commission expires: 7/30/05

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

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

Exhibit A page 1 of 4

PROPERTY DESCRIPTION – PHASE ONE SECTION TWO

Commencing at an iron rod situated in the easterly margin of Longfellow Drive, said point also being the southeast corner of Lot 247 of Abbington Park, Phase One, Section One of record in Instrument No. 200303280041019, R.O.D.C., TN.;

Thence, leaving said road, S 70deg32'33" W, a distance of 88.51 feet to the point of beginning of the hereon described tract of land;

Thence, N 19deg27'27" E, a distance of 227.00 feet to an iron rod;

Thence, N 68deg37'39" E, a distance of 85.90 feet to an iron rod;

Thence, S 70deg32'33" E, a distance of 55.00 feet to an iron rod;

Thence, S 70 deg32'33" E, a distance of 110.00 feet to an iron rod;

Thence, N 87deg00'01" E, a distance of 209.30 feet to an iron rod;

Thence, N 83deg24'25" E, a distance of 71.64 feet to an iron rod;

Thence, S 79deg36'08" E, a distance of 259.51 feet to an iron rod;

Thence, S 75deg30'11" E, a distance of 58.70 feet to an iron rod;

Thence, S 18deg45'28" W, a distance of 5.82 feet to an iron rod;

Thence, S 35deg01'26" E, a distance of 83.58 feet to an iron rod;

Thence, S 17deg12'37" E, a distance of 230.00 feet to an iron rod;

Thence, N 54deg37'44" E, a distance of 96.96 feet to an iron rod;

Thence, S 78deg26'02" E, a distance of 10.02 feet to an iron rod;

Thence, S 08deg07'41" W, a distance of 382.47 feet to an iron rod;

Thence, N 71deg12'37" W, a distance of 605.48 feet to an iron rod;

Thence, S 18deg53'51" W, a distance of 128.06 feet to an iron rod;

Thence, N 71deg06'56" W, a distance of 548.03 feet to an iron rod;

Thence, N 04deg39'48" E, a distance of 20.63 feet to an iron rod;

Thence, N 71deg06'56" W, a distance of 71.35 feet to an iron rod;

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Thence, N 05deg52'35" W, a distance 29.77 feet to the point of beginning and containing 9.642 acres of land.

Being a portion of the same property conveyed to J. E. Stevenson, Trustee of record in Instrument No. 200007190071163 in the Register's Office for Davidson County, Tennessee.

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PROPERTY DESCRIPTION – PHASE ONE SECTION FOUR

Commencing at an iron rod situated in the easterly margin of Frost Street, said point also being the northwest corner of Lot 79 of Abbington Park, Phase One, Section One of record in Instrument No. 200303280041019, R.O.D.C., TN.;

Thence, leaving said road, S 85deg27'28" E, a distance of 90.00 feet to the point of beginning of the herein described tract of land;

Thence, N 04deg32'32" E, a distance of 137.97 feet to an iron rod;

Thence, along a curve to the right, having a central angle of 41deg56'24", a radius of 525.00 feet, a tangent of 201.21 feet, a length of 384.30 feet and having a chord which bears S 63deg52'03" E, a distance of 375.77 feet to an iron rod;

Thence, N 56deg50'02" E, a distance of 155.55 feet to an iron rod;

Thence, S 33deg09'58" E, a distance of 10.00 feet to an iron rod;

Thence, N 56deg50'02" E, a distance of 119.95 feet to an iron rod;

Thence, N 45deg22'47" E, a distance of 137.81 feet to an iron rod;

Thence, N 31deg47'50" E, a distance of 91.50 feet to an iron rod;

Thence, N 19deg17'24" E, a distance of 91.50 feet to an iron rod;

Thence, N 08deg59'19" E, a distance of 83.69 feet to an iron rod;

Thence, N 81deg00'41" W, a distance of 14.04 feet to an iron rod;

Thence, along a curve to the right, having a central angle of 10deg28'07", a radius of 425.00 feet, a tangent of 38.93 feet, a length of 77.65, and having a chord which bears N 75deg46'37" W, a distance of 77.54 feet to an iron rod;

Thence, N 19deg27'26" E, a distance of 311.32 feet to an iron rod;

Thence, S 80deg58'20" E, a distance of 405.99 feet to an iron rod;

Thence, S 09deg01'40" W, a distance of 393.59 feet to an iron rod;

Thence, S 09deg01'40" W, a distance of 500.24 feet to an iron rod;

Thence, S 08deg07'41" W, a distance of 180.11 feet to an iron rod;

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Thence, S 87deg44'02" W, a distance of 10.17 feet to an iron rod;

Thence, N 08deg07'41" E, a distance of 2.78 feet to an iron rod;

Thence, N 18deg44'10" W, a distance of 214.24 feet to an iron rod;

Thence, N 43deg54'01" W, a distance of 128.30 feet to an iron rod;

Thence, S 56deg50'02" W, a distance of 252.41 feet to an iron rod;

Thence, S 08deg59'19" W, a distance of 80.93 feet to an iron rod;

Thence, S 56deg50'02" W, a distance of 399.10 feet to an iron rod;

Thence, N 33deg09'58" W, a distance of 205.00 feet to an iron rod;

Thence, N 56deg50'02" E, a distance of 1.58 feet to an iron rod;

Thence, N 33deg09'58" W, a distance of 143.00 feet to an iron rod;

Thence, N 28deg50'02" W, a distance of 226.60 feet to the point of beginning and containing 14.541 acres of land.

Being a portion of the same property conveyed to J. E. Stevenson, Trustee of record in Instrument No. 200007190071163 in the Register's Office for Davidson County, Tennessee.

**EXHIBIT B**

1. Provisions contained in deed of conveyance of record in Book 8377, page 820, Register's Office for Davidson County, Tennessee which contains reservations for certain sewer taps.

2. Warranty Deed of Flowage easements granted to the United States of America, of record in Book 2242, page 513, Register's Office for Davidson County, Tennessee.

3. Grant of Transmission Line Easement to the United States of America of record in Book 1163, page 341, Register's Office for Davidson County, Tennessee.

4. Easement for 20-foot right of way for ingress and egress conveyed to Olin M. Weakley, et al of record in Book 1198, page 525, Register's Office for Davidson County, Tennessee.

5. Declaration of Restrictions of record in Instrument No. 200010402-0031520, Register's Office for Davidson County, Tennessee which restrictions restrict the property described therein to use only as open green space.

6. Covenants and conditions of record in Instrument No. 2000072-00071648, Register's Office for Davidson County, Tennessee which contain certain provisions regarding sewer line access for up to two connections and also provides a buffer zone and landscaping requirements as more particularly set forth in said deed.

7. Any and all matters shown on boundary survey of the subject property by Steven D. Delle, Dale & Associates, 516 Heather Place, Nashville, TN 37204, (615) 297-5166, dated September 19, 2001 , rev 9-26-01.

8. Stormwater Detention Agreement of record as Instrument Number 20030508-00611633, said Register's Office.

9. Matters shown on Final Plat Abbington Park Phase One Section One of record at Instrument Number 20030328-0041019, said Register's Office.

10. Matters shown on Final Plat Abbington Park Phase One Section Two of record at Instrument Number 20030922-0139712, said Register's Office.

11. Stormwater Detention Agreement of record as Instrument Number 20030109-0004246, said Register's Office.