This Instrument Prepared By:
Gibson, Gregory & Gwyn, PLLC
201 Fourth Avenue, N. Suite 1900
Nashville Tennessee 37219

Davidson County DEEDWARR
Recvd: 10/08/03 15:56 5pgs
Fees:28.00 Taxes:5180.00
20031008-0149616

ADDRESS NEW OWNER:
Pulte Homes Tennessee Limited Partnership
A Nevada limited partnership
5544 Franklin Road, Suite 200
Nashville, TN 37220

SEND TAX BILL:
New Owner

MAP AND PARCEL:
MAP 172-000
PARCEL 121

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the Grantees named herein, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **Ollie Russell Kennedy, Jr. and Gerald Lee Kennedy and Kathy Diana McKee a/k/a Kathy Diane McKee and James Donald Kennedy**, ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto **Pulte Homes Tennessee Limited Partnership, a Nevada limited partnership**, ("Grantee"), their successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described in Exhibit "A" which is attached hereto and incorporated herein by this reference (the "Property").

This conveyance is subject to those matters set forth in Exhibit "B" which is attached hereto and incorporated herein by this reference.

This is unimproved property located on Edmondson Pike, Nashville, Davidson County, Tennessee.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to Grantee, their successors and assigns, forever; and Grantor, does covenant with Grantee that they are lawfully seized and possessed of the Property in fee simple, have a good right to convey it, and the same is unencumbered unless otherwise herein set out; and Grantor does further covenant and bind themselves, their heirs, successors, assigns and representatives, to warrant and forever defend the title to the Property to Grantee, their successors and assigns, against the lawful claims by and through the Grantor, but not further. Wherever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness its hand this 7th day of October, 2003.

Ollie Russell Kennedy, Jr.

Gerald Lee Kennedy

Kathy Diana McKee

James Donald Kennedy

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, the undersigned, of the state and county aforesaid, personally appeared Ollie Russell Kennedy, Jr. with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal this 7th day of October, 2003.

Notary Public

My Commission Expires: 1/29/05

CATHERINE H. QUINN
Notary Public At Large
DAVIDSON COUNTY, TENN.
My Commission Expires January 29, 2005

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, the undersigned, of the state and county aforesaid, personally appeared Gerald Lee Kennedy with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal this 8 day of October, 2003.

Notary Public

My Commission Expires: 7/21/07

ANDREW B. GIBSON, JR.
Notary Public At Large
DAVIDSON COUNTY, TENN.
My Commission Expires July 21, 2007

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, the undersigned, of the state and county aforesaid, personally appeared Kathy Diana McKee, a/k/a Kathy Diane McKee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that she executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal this 8 day of October, 2003.

Notary Public

My Commission Expires: 7/21/07

ANDREW B. GIBSON, JR. Notary Public At Large DAVIDSON COUNTY, TENN. My Commission Expires July 21, 2007

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, the undersigned, of the state and county aforesaid, personally appeared James Donald Kennedy, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal this 8 day of October, 2003.

Notary Public

My Commission Expires: 7/21/07

ANDREW B. GIBSON, JR. Notary Public At Large DAVIDSON COUNTY, TENN. My Commission Expires July 21, 2007

STATE OF TENNESSEE)
COUNTY OF Davidson)

The actual value or consideration, whichever is greater, for this transfer is $1,400,000.00.

Diana Morris
AFFIANT

Subscribed and sworn to before me
this 8th day of October, 2003.

NOTARY PUBLIC

My Commission Expires: 7/21/07

ANDREW B. GIBSON, JR. Notary Public At Large DAVIDSON COUNTY, TENN. My Commission Expires July 21, 2007

EXHIBIT "A"

Land located in the 32nd Councilmanic District of Davidson County, Tennessee, south of Old Hickory Boulevard and west of Edmondson Pike, being more particularly described as follows:

Beginning in the westerly right-of-way of Edmondson Pike South 87 degrees 13' 37" East, 7.00 feet from a southeasterly corner of Kroger Limited Partnership I property of record in Deed Book 10863, Page 69, R.O.D.C.;

Thence with said right-of-way as follows:

South 00 degrees, 07' 36" West, 309.30 feet:
South 01 degrees 58' 46" West, 273.55 feet to an iron rod South 83 degrees 51' 14" East, 17.04 feet from a northeasterly corner of Sterling Oaks, Phase III subdivision of record as Instrument Number 20001122-0115320, R.O.D.C.;

Thence with said subdivision North 83 degrees 51' 14' West, 709.01 feet to a steel "T" post at an exterior corner of Alan D. Revelette, et ux property of record in Deed Book 11145, Page 533, R.O.D.C.;

Thence with said Revelette property as follows:

North 83 degrees 10' 48" West, 56.90 feet to an iron rod;
North 19 degrees 42' 30" West, 144.81 feet to an iron rod;
North 03 degrees 48' 15" West, 44.40 feet to a 28" Hackberry:
North 07 degrees 48' 26" East, 342.53 feet to a southwesterly corner of the above-mentioned Kroger Limited Partnership I property;

Thence with said Kroger property as follows:

South 89 degrees 49' 14" East, 390.19 feet;
South 87 degrees 13' 37" East, 380.07 feet to the beginning.

Containing 10.171 acres, more or less, and being the same property conveyed to Ollie Russell Kennedy, Jr., Gerald Lee Kennedy, Kathy Diana McKee a/k/a Kathy Diane McKee and James Donald Kennedy, each with an undivided one-fourth interest, by Quitclaim Deed from Ollie Russell Kennedy, Jr., Gerald Lee Kennedy, Kathy Diana McKee, a/k/a Kathy Diane McKee, and James Donald Kennedy, co-trustees of the Kennedy Family Trust as established in the Last Will and Testament of Ollie Russell Kennedy, Sr. of record in Will Book 202, page 253, Probate Court Clerk's Office for Davidson County, Tennessee, and as the residuary beneficiaries of the Dorothy H. Kennedy Estate of record in Will Book 214, page 315, Probate Court Clerk's Office for Davidson County, Tennessee, and Gerald Lee Kennedy, Executor of the Dorothy H. Kennedy Estate, Will Book 214, page 315, Probate Court Clerk's Office for Davidson County, Tennessee. Said Quitclaim Deed is of record in Instrument Number 200002020010942, and rerecorded in Instrument No. 200006010054716, Register's Office for Davidson County, Tennessee; as described on the Survey by Gresham Smith and Partners, John M. Duffer, RLS #1431, dated October 31, 2001, File No. 21842.00.

EXHIBIT "B"

This conveyance is subject to the following limitations:

1) Taxes for 2004 and subsequent years.

2) Easement for construction slopes of record in Book 7851, page 708, Register's Office for Davidson County, Tennessee.

3) Easement for sanitary sewer and/or storm drainage of record in Book 7267, page 41, said Register's Office.

4) Flowage of creek across central portion of property, as shown on the Survey by Gresham Smith and Partners, John M. Duffer, RLS #1431, dated October 31, 2001, File No. 21842.00.