Davidson County DEEDWARR
Recvd: 05/17/04 10:41 3pgs
Fees:18.00 Taxes:1598.40
20040517-0057352

NEW OWNER:

BEAZER HOMES CORP.
2910 KRAFT DRIVE
NASHVILLE, TN 37204

SEND TAX BILLS TO:
NEW OWNER

THIS INSTRUMENT PREPARED BY:

Rochelle, McCulloch & Aulds, P.L.L.C.
Attorneys at Law
109 Castle Heights Ave. North
Lebanon, TN 37087
FILE NO: 04-0390

Map 33
Parcels 43, 42, 213, 21 (part of)

Space for Recorder's Stamp

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **Four Hundred Thirty-Two Thousand and 00/100 Dollars ($432,000.00)** cash in hand paid, the receipt of which is hereby acknowledged, **IVY HILL PROPERTIES, LLC, a Tennessee limited liability company** ("Grantor") has this day bargained and sold and by these presents do hereby transfer and convey unto **BEAZER HOMES CORP., a Tennessee corporation** ("Grantee"), its successors and assigns, forever, the following tract or parcel of land, situated and lying in **Davidson** County, Tennessee, bound and described as follows, to-wit:

Being Lot #'s **58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 79 and 80** as shown on the final plat of **DRY CREEK FARMS, Section 2**, dated July 3, 2003, as revised July 30, 2003, prepared by Crawford Land Surveyors, P. C. 1929 Twenty-First Ave. South, Nashville, TN 37212, and of record as Instrument #20040421-0045040, Register's Office for Davidson County, Tennessee.

Being part of the same property conveyed to Ivy Hill Properties, LLC by deed from Investors Land Partners, II, L.P., dated September 30, 2003, and of record in Instrument No.20031001-0145054, as corrected in Instrument No. 20031029-0159245, Register's Office for Davidson County, Tennessee.

This is not the principal residence of the Grantor.

THIS IS IMPROVED PROPERTY.

TO HAVE AND TO HOLD said property, together with any and all appurtenances and improvements thereunto, belonging to the said Grantee, its successors and assigns, in fee simple, forever.

GRANTOR covenants with said Grantee that Grantor is lawfully seized and possessed of said property; that Grantor has a good and lawful right to make this conveyance; that the same is free, clear and unencumbered, except as noted herein; and Grantor will forever warrant and defend the title thereto against the lawful claims of all persons claiming through and under Grantors, **BUT NOT FURTHER OR OTHERWISE.**

THIS CONVEYANCE is made subject to all visible easements, rights-of-way and matters shown on the plat of record as Instrument No. 20040421-0045040, and any and all restrictions, existing roadways, easements and rights-of-way of record.

POSSESSION shall be given with date of deed.

PROPERTY TAXES for the current year shall be prorated as of date of deed.

IN WITNESS WHEREOF, Grantor has executed or caused this instrument to be executed by its duly authorized representative, this 12th day of May, 2004.

IVY HILL PROPERTIES, LLC

By: _____
Brock A. Rust, Managing Member

STATE OF TENNESSEE
COUNTY OF WILSON

Personally appeared before me, the undersigned authority, a notary public in and for the state and county aforesaid, **BROCK A. RUST**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who acknowledged that he/she is the **MANAGING MEMBER** of **IVY HILL PROPERTIES, LLC**, the within-named bargainor, and as such authorized officer, being given the authority to so do, executed the within instrument on behalf of the corporation by signing its name as such authorized officer.

WITNESS my hand and official seal at office this 18th day of May, 2004.

_____
NOTARY PUBLIC

My commission expires: 10/30/07

GREGORY S. GILL
NOTARY PUBLIC
AT
LARGE
WILSON COUNTY, TENNESSEE

****

The actual consideration or value, whichever is greater, for this transfer is **$432,000.00** .

Debbie A. Rogers

AFFIANT

Sworn to and subscribed to before me this 12th day of May, 2004.

Tina Dyer

NOTARY PUBLIC

My commission expires: 2/14/05

TINA DYER
NOTARY PUBLIC AT LARGE
WILSON COUNTY, TENN.