Box 44

Davidson County DEEDWARR
Recvd: 07/12/04 13:18 2pgs
Fees:13.00 Taxes:897.50
20040712-0082606

THIS INSTRUMENT PREPARED BY: **George V. Crawford, Jr.** **GULLETT, SANFORD, ROBINSON & MARTIN, PLLC** 315 Deaderick Street, Suite 1100 Nashville, Tennessee 37238 (615) 244-4994	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater, for this transfer is $242,567.00. **Affiant** Subscribed and sworn to before me, this 9th day of July, 2004. Notary Public My Commission Expires:

GEORGE V. CRAWFORD JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE My Commission Expires JULY 21, 2007

Address New Owner As Follows: David Abel and Laurie Abel 2072 Remington Park Road Old Hickory, TN 37138	Send Tax Bills To: AmSouth Bank 2050 Parkway Office Circle Birmingham, AL 35244	Map-Parcel Number: 064-08-0-A-057.00

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **BEAZER HOME CORP. d/b/a PHILLIPS BUILDERS, a Tennessee corporation**, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto, **DAVID ABEL AND WIFE, LAURIE ABEL,** hereinafter called the Grantees, their heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Land in Davidson County, Tennessee, being Lot No. 96 on the Plan of Section Two, Merritt Downs of record as Instrument No. 20030904-0128443, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

Being part of the same property conveyed to Beazer Homes Corp. d/b/a Phillips Builders, a Tennessee corporation, by deed from Gilbert S. Merritt, Jr. of record as Instrument No. 20030110-0004711, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 Metro taxes, a lien but not yet due and payable, which have been prorated and assumed by Grantees. By acceptance of delivery of this instrument, Grantees assume and agree to pay such taxes as and when such become payable and to indemnify and hold harmless Grantor from liability and loss therefrom.

2. All matters as shown on the Plan of record as Instrument No. 20030904-0128443, Register's Office for Davidson County, Tennessee.

3. Amended and Restated Declaration of Restrictive Covenants for Merritt Downs of record as Instrument No. 20010702-0069864, and First Supplementary Declaration of record as Instrument No. 20040330-0035673, said Register's Office.

4. Stormwater Detention Agreement of record as Instrument No. 20010119-0006024, said Register's Office.

5. Deed for common area of record as Instrument No. 20040407-0039569, said Register's Office.

6. Restated Charter of Merritt Downs Homeowners Association, Inc. of record as Instrument No. 20011127-0129417, said Register's Office.

This is improved property known as 2072 Remington Park Road, Old Hickory, TN 37138.

TO HAVE AND TO HOLD the said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantees, their heirs and assigns, forever; and it covenants with the said Grantees that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to the said land to the said Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS my hand this 9th day of July, 2004.

BEAZER HOME CORP. d/b/a PHILLIPS BUILDERS
a Tennessee corporation

By: Ruth Lyon, agent
Ruth Lyon, Agent

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **Ruth Lyon**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained, and who further acknowledged that she is the **Agent** of the maker or a constituent and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS my hand, at office, this 9th day of July, 2004.

Rebecca K. White
Notary Public

My Commission Expires: May 24, 2008

REBECCA K. WHITE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 24, 2008

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