Davidson County DEEDWARR
Recvd: 10/19/04 14:37 4pgs
Fees:23.00 Taxes:501.61
20041019-0125714

SPECIAL WARRANTY DEED

This instrument was prepared by Perrone & Young, 109 Westpark Dr., Ste. 330, Brentwood, TN 37027 (PRY)

Address New Owner	Send Tax Bills To:	Map/Parcel
Beazer Homes Corp. 2910 Kraft Drive Nashville, TN 37204	Same	Being part of: Map: 161-00-0 Parcel: 272.00

State of Tennessee)
County of Williamson)

The actual consideration or value for this transfer, whichever is greater, is $135,571.10

B Manning
Affiant

Sworn to and subscribed before me this 19 day of October 2004.

Rebecca L Carey
Notary Public

My commission expires: 2-20-06

REBECCA L. CAREY NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

For and in consideration the sum of Ten Dollars ($10.00) cash in hand paid by the grantee, hereinafter name, and other good and valuable consideration, the receipt and sufficiency of which is mutually acknowledged, Shadow Glen Residential, L. P., a Tennessee limited partnership, the "Grantor", has this day bargained and sold and does hereby transfer and convey unto the said **Beazer Homes Corp., a Tennessee corporation,** hereinafter "Grantee", its successors and assigns, certain real estate in Davidson County, Tennessee, as described on **Exhibit A** hereto which is incorporated herein.

To have and to hold said real estate, with the appurtenances, estate, title, and interest belonging to the said Grantee, its successors and assigns forever. Grantor covenants that it is lawfully seized and possessed of the said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as shown on **Exhibit B** stated herein.

Grantor further covenants and binds itself, its successors, assigns, and representatives to warrant and forever defend the title to said real estate to said Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through, or under Grantor, but not otherwise.

This 19th day of October 2004.

GRANTOR: Shadow Glen Residential, L. P., a Tennessee limited partnership

By its general partner: Brooklands Development, LLC, a Tennessee limited liability company

By: _____
THOMAS S. SMITH, Chief Manager

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Personally appeared before me, the undersigned, a Notary Public, in and for said State and County, **Thomas S. Smith**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), the Chief Manager of Brooklands Development, LLC, a Tennessee limited liability company, the general partnership of Shadow Glen Residential, L.P., a Tennessee limited partnership, the within named bargainor, and who, after being and being authorized to do so, made oath that he executed the foregoing instrument for the purpose therein contained by signing his name individually, and on behalf of the partnership

Witness my hand and seal, at office in Brentwood, Tennessee this 19th day of October 2004.

_____
NOTARY PUBLIC

REBECCA L. CAREY NOTARY PUBLIC AT LARGE WILLIAMSON CO. TN

My Commission Expires:
2-20-06

EXHIBIT A TO SPECIAL WARRANTY DEED

Land Description

Land lying in the 31st Councilmanic district of Davidson County, Nashville, Tennessee and being part of the Lot 2, Southmark, a planned unit development of record Plat Book 7900, Page 38, R.O.D.C. and being more particularly described as follows:

Beginning at an iron pin (old) at the southeast corner of said part of Lot 2;

Thence, along the southerly line of said part of Lot 2 North 83°21'02" West, a distance of 506.32 feet to a point;

Thence, along new severance lines of part of Lot 2 the following two (2) course and distances:

Thence, North 06°38'58" East, a distance of 131.41 feet to a point;

Thence, North 29°35'55" East, a distance of 106.45 feet to a point;

Thence, with the southerly line of Beazer Homes Inc. of record in Instrument number 200407090082047, R.O.D.C. the next three (3) course and distances:

Thence, South 69°38'11" East, a distance of 95.10 feet to a point;

Thence, South 72°04'38" East, a distance of 90.39 feet to a point;

Thence, South 67°18'23" East, a distance of 115.83 feet to iron rod (old);

Thence, along or near the westerly line of Lake Providence Missionary Baptist Church of record in Deed Book 11728, Page 372, R.O.D.C., South 40°59'53" East, a distance of 233.35 feet to the Point of Beginning.

Containing 78,040 Square Feet or 1.79 Acres, more or less.

Being the same property conveyed to Shadow Glen Residential, L.P., a Tennessee limited partnership by deed from Alaric Development Company, Inc., a Tennessee corporation, of record by Instrument No. 20030626-0089015, Register's Office for Davidson County, Tennessee.

EXHIBIT B – PERMITTED EXCEPTIONS

1. Defects, liens, encumbrances, adverse claims, or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Any owner's policy issued pursuant hereto will contain under Schedule B the standard exceptions set forth on the inside cover. Any loan policy will also contain under Schedule B thereof, the standard exceptions set forth on the inside cover of this commitment relating to the owner's policy.

3. Standard Exceptions 2 and 3 may be removed from the policy when a satisfactory survey and inspection of the premises is made.

4. Taxes for the year 2005 and subsequent years, a lien, but not yet due and payable.

5. Restrictions, Dedications, Conditions, Reservations, easements and other matters shown on the plat of Southmark, as recorded in Plat Book 7900, Page 38, but deleting any covenants, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

6. Declaration of Covenants, Conditions and Restrictions recorded in Book 8064, Page 815, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sec, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

7. Easement for Ingress-Egress per Agreement of Construction and Maintenance of Joint Access Roadway, recorded in Book 8064, Page 831 amended by Ingress-Egress per Agreement of Construction and Maintenance of Joint Access Roadway recorded in Instrument No. 20000114-0004981, said Register's Office.

8. Easement for Drainage, recorded in Book 7382, Page 755, said Register's Office.

9. Easement for Sewer and/or Storm Drainage, recorded in Book 9640, Page 881, said Register's Office.

10. Stormwater Detention Agreement of record in Instrument No. 20030903-0127692, Register's Office for Davidson County, Tennessee.

11. No insurance is afforded as to the exact acreage contained in subject property.