Box 36

THIS INSTRUMENT PREPARED BY:
Douglas A. Brace, Reg. #3485
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North, Third Floor
P.O. Box 198985
Nashville, TN 37219-8985
(615) 256-9999

Davidson County DEEDWARR
Recvd: 02/02/07 13:56 3 pgs
Fees:18.00 Taxes:9072.40
20070202-0014134

STATE OF TENNESSEE]
COUNTY OF DAVIDSON]

The actual consideration or value, whichever is greater, for this transfer is $2,452,000.00.

Carolyn L. Bullion
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 1st DAY OF FEBRUARY, 2007.

Rubye Rainey
Notary Public

My commission expires:

RUBYE RAINEY NOTARY PUBLIC WILLIAMSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Rubye Rainey
My Commission Expires
March 4, 2007
STATE OF TENNESSEE

Name and Address of New Owner:

Centex Homes
370 Mallory Station Road, Suite 500
Franklin, TN 37067

Send Tax Bills To:

NEW OWNER

Street Address of Subject Property:

736 McMurray Drive
Nashville, TN 37211

Map and Parcel:

161-018.00

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 Grantee, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **GERTRUDE TIBBS EZELL,** an unmarried person, hereinafter called "**GRANTOR,**" has bargained and sold, and by these presents does transfer and convey unto **CENTEX HOMES,** a Nevada general partnership, hereinafter called "**GRANTEE,**" its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, being more particularly described as follows:

Being a tract of land in the Twenty-Seventh Councilmanic District of Nashville, Davidson County, Tennessee; said tract located on the northerly margin of McMurray Drive at the westerly margin of McMurray Court, being a portion of Reserve Parcel shown on the Plan of Country Place of record in Book 4460, pages 76 and 77, in the Register's Office for Davidson County, Tennessee, being more particularly described according to Survey by Ragan-Smith Associates, Theodore Joseph Stevenson, II, TN R.L.S. No. 2136, dated April 19, 2006, as follows:

Beginning at an iron rod with cap stamped Ragan-Smith Associates on the northerly right-of-way margin of McMurray Drive (right-of-way width varies), at the common property corner of Elise J. Phillips Howse, of record in Deed Book 5191, page 33, R.O.D.C., Tennessee, and Deed Book 5251, page 920, R.O.D.C., Tennessee, and being the southwest property corner of said Gertrude Tibbs Ezell; said rod is 135-feet southeasterly from the centerline of Whitaker Drive (a 50-foot wide right-of-way) and proceeding as follows:

Thence from the point of beginning and leaving the northerly right-of-way margin of McMurray Drive and with the common property line of said Howse for the next six calls: 1) North 29° 43' 44" East 53.07 feet to an iron rod with cap stamped Ragan-Smith Associates; thence, 2) North 29° 43' 30" East 72.76 feet to an iron rod with cap stamped Ragan-Smith Associates; thence, 3) North 23° 06' 00" East 28.39 feet to an iron rod with cap stamped Ragan-Smith Associates; thence, 4) North 07° 31' 46" East 35.01 feet to a concrete monument; thence 5) North 75° 19' 29" West 24.55 feet to a concrete monument; thence 6) North 78° 27' 03" West 139.55 feet to an iron rod; thence, leaving said Howse's northerly property line and with the common property line of new plan (164) Country Place Apartments, LLC, of record as Instrument No. 20010801-0081473 R.O.D.C., Tennessee, North 02° 04' 22" East 90.06 feet to an iron rod with cap stamped Ragan-Smith Associates; thence, northeastwardly and with a curve to the right having a radius of 506.98 feet, a central angle of 33° 59' 44", for an arc length of 300.81 feet and a chord bearing and distance of North 19° 00' 47" East 296.42 feet to an iron rod with cap stamped Ragan-Smith Associates; thence, northeastwardly and with a curve to the left having a radius of 446.06 feet, a central angle of 50° 00' 00" for an arc length of 389.26 feet and a chord bearing and distance of North 11° 34' 16" East 377.03 feet to an iron rod with cap stamped Ragan-Smith Associates; thence northwestwardly and with a curve to the right having a radius of 273.52 feet, a central angle of 28° 19' 00", for an arc length of 135.18 feet and a chord bearing and distance of North 01° 19' 14" West 133.81 feet to an iron rod; thence, South 76° 49' 57" East 245.73 feet to an iron rod; thence, North 15° 53' 27" East 344.10 feet to an iron rod; thence, leaving said Country Place Apartments, LLC, and with the common property line of WDOP Sub 1 LP, of record as Instrument No. 20000301-0020299, R.O.D.C., Tennessee, North 75° 45' 34" East 284.95 feet to a concrete monument; thence, South 04° 27' 44" West, 173.93 feet to a concrete monument; thence, South 04° 39' 42" West 675.43 feet to a concrete monument; thence South 85° 05' 56" East 240.00 feet to an iron rod in the northerly and westerly right-of-way margins of McMurray Court (right-of-way widths vary); thence, with said McMurray Court, South 04° 36' 08" West 598.67 feet to a concrete monument in the northerly margin of McMurray Drive; thence, with said margin, southwestwardly and with a curve to the right having a radius of 420.69 feet, a central angle of 02° 13' 44", for an arc length of 16.36 feet and a chord bearing and distance of South 43° 52' 21" West 16.36 feet to an iron rod at the northeast corner of Michael S. Montgomery and Nancy V. Emme of record as Instrument No. 20020829-0104643, R.O.D.C., Tennessee; thence with said Montgomery, South 89° 27' 48" 201.49 feet to an iron rod; thence, South 11° 50' 07" West 117.71 feet to an iron rod (old) in the northerly margin of McMurray Drive; thence, with said margin the next three calls: Thence, with a curve to the right having a radius of 420.69 feet, a central angle of 32° 23' 45", for an arc length of 237.86 feet and a chord bearing and distance of North 83° 38' 41" West, 234.71 feet to an iron rod; thence, North 67° 22' 07" West 209.70 feet to an iron rod; thence, northwestwardly and with a curve to the left having a radius of 5,759.86 feet, a central angle of 01° 41' 55", for an arc length of 170.77 feet and a chord bearing and distance of North 68° 13' 05" West, 170.77 feet to the point of beginning and containing 946.344 square feet, or 21.73 acres, more or less.

Being a portion of the premises conveyed to Gertrude Tibbs Ezell by Deed from Paul Holbrook of record in Book 1533, page 629, in said Register's Office, and part of the premises inherited by Elizabeth Gillespie, Gertrude Ezell and C. V. Tibbs from the Estate of C. D. Tibbs, deceased, and then conveyed to Gertrude Tibbs Ezell by Deed from Mamie Tibbs Keathley in Book 2742, page 331; by Deed from Russell A. Tibbs in Book 2746, page 101, and by Deed from Mrs. Mamie Andrews Tibbs, widow, Clarence Vincent Tibbs and Elizabeth Tibbs Gillespie in Book 2992, page 529, in said Register's Office; and being all of the property conveyed to Gertrude Tibbs Ezell by Deed from Aubrey Howse and wife, Elise Jones Phillips Howse, of record in Deed Book 5251, page 918, and

conveyed to Gertrude Tibbs Ezell by Special Warranty Deed from U.S. Care Corporation of record in Book 6749, page 459, in the Register's Office for Davidson County, Tennessee.

The conveyance of the above described parcel of land is subject to:

1. Metropolitan Nashville/Davidson County taxes for the year 2007 which have been prorated and assumed by Grantee; and

2. Matters shown on plan of record in Book 4460, pages 76 and 77, Register's Office for Davidson County, Tennessee.

3. Title to any portion of said premises located within the bounds of public streets or roads, and easements for the flow of creeks crossing said property.

4. Any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of ways for public utilities applicable to this property.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns, forever; and Grantor does covenant with the said Grantee that she 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 Grantor further covenants and binds herself, her heirs and assigns, to warrant and forever defend the title to the said Grantee, its successors 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 23 day of January, 2007.

Gertrude Tibbs Ezell
GERTRUDE TIBBS EZELL

By: Dorothy E Jordan
DOROTHY E. JORDAN, her Attorney-in-Fact

STATE OF NORTH CAROLINA]
COUNTY OF Wake]

Before me, the undersigned, a Notary Public in and for said State and County, personally appeared **Dorothy E. Jordan,** with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon her oath acknowledged that she executed the foregoing instrument as Attorney-in-Fact for **GERTRUDE TIBBS EZELL**, as the free act and deed of the within named **GERTRUDE TIBBS EZELL**, said **Durable General Power of Attorney** of record as **Instrument No. 20060825-0105433**, Register's Office for Davidson County, Tennessee.

WITNESS my hand and seal the day and year first above written.

FERLINDA A. BOARD NOTARY PUBLIC Comm. Exp. 8-1-2009. WAKE COUNTY, N.C.

NOTARY PUBLIC

My commission expires: 8-1-2009

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