BILL GARRETT, Davidson County
Trans:T20090034134 DEEDWARR
Recvd: 05/22/09 14:31 4 pgs
Fees:23.00 Taxes:3071.93
20090522-0047575

| Address New Owner: | Map-Parcel Numbers: | Send Tax Bills To: |
|---|---|---|
| Centex Homes<br>370 Mallory Station Road<br>Suite 500<br>Franklin, TN 37067 | Part of Map 181, Par. 282 | Same |
| This instrument prepared by: Boult, Cummings, Conners & Berry, PLC<br>1600 Division Street, Suite 700, Nashville, TN 37203 | | |

## WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, B D P DEVELOPMENT COMPANY, LLC, a Tennessee limited liability company (the "Grantor"), has bargained and sold, and by these presents does transfer and convey to CENTEX HOMES, a Nevada general partnership (the "Grantee"), Grantee's successors and assigns, certain land in Davidson County, State of Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Property").

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the following:

1. Matters shown on the Plan of Final Plat Concord Place II, Phase 3, Carter Property, of record in Instrument No. 20080808-0082075, Register's Office for Davidson County, Tennessee.

2. Inspection and Maintenance Agreement for Private Stormwater Management Facilities of record as Instrument No. 200705009-0055790, Register's Office for Davidson County, Tennessee.

STATE OF TENNESSEE
COUNTY OF Davidson

The actual consideration or value, whichever is greater, for this transfer is $830,250.00.

R Elwood
Affiant

Subscribed and sworn to before me this 22nd day of May, 2009.

Loretta B. Lane
Notary Public

My Commission Expires: 11-14-09

LORETTA B. LANE
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

3. Easement granted Metropolitan Government of Nashville and Davidson County of record as Instrument No. 20071023-0125249, Register's Office for Davidson County, Tennessee.

This is unimproved property located in Phase 3 of the Concord Place II subdivision of record as Instrument No. 20080808-0082075, Register's Office for Davidson County, Nashville, Tennessee.

TO HAVE AND TO HOLD the Property with all appurtenances, estate, title, and interest thereto belonging to the Grantee, Grantee's successors and assigns, forever.

Grantor covenants with the Grantee that Grantor is lawfully seized and possessed of the Property in fee simple; that Grantor has a good right to convey the Property, and that the Property is unencumbered except as set forth hereinabove.

Grantor further covenants and binds itself, its successors and assigns to warrant and forever defend the title to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has executed this Deed this 22nd day of May, 2009.

B D P DEVELOPMENT COMPANY, LLC, a Tennessee limited liability company

By:

Title:

State of Tennessee
County of Williamson

Personally appeared before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, ~~Duly Authorized Agent~~ Gregory S. Perrone with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself to be the Duly Authorized Agent of B D P DEVELOPMENT COMPANY, LLC, a Tennessee limited liability company, the within named bargainor, and that he as such Duly Authorized Agent, being authorized to do so, executed the foregoing instrument, for the purposes therein contained by signing the name of the company by himself as such officer.

Witness my hand seal at office this 22nd day of May, 2009.

Notary Public Robin S. Edwards

My Commission Expires: 2/26/2011

ROBIN S. EDWARDS
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

**EXHIBIT A**

Land in Davidson County, Tennessee, being Lots Nos. 128, 129, 130, 131, 132, 112, 113, 114, 115 and 116 on the Plan of Concord Place II, Phase 3, Carter Property, of record as Instrument No. 20080808-0082075, in the Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description of the property.

Being a portion of the property conveyed to BDP Development Company, LLC by deed from William Robert Carter, as to a 50% undivided interest and James Phillip Carter, as to a 50% undivided interest of record as Instrument No. 20070423-0047755, Register's Office for Davidson County, Tennessee.