BILL GARRETT, Davidson County
Trans:T20090053690 DEEDWARR
Recvd: 08/06/09 13:28 4 pgs
Fees:23.00 Taxes:206.55
20090806-0074031

**THIS INSTRUMENT PREPARED BY:**
**Hugh W. Entrekin**
**TUNE, ENTREKIN & WHITE, P.C.**
Suite 1700, Regions Center
315 Deaderick Street
Nashville, Tennessee 37238
615) 244-2770

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)
The actual consideration or value, whichever is greater for this transfer is $55,825.00

Ann Hall
AFFIANT

Subscribed and sworn to before me, this 28 day of July, 2009.

Margaret L. Saylor
NOTARY PUBLIC

My Commission Expires: 1/23/2010

MARGARET L. SAYLOR STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires JAN 23 2010

**Address New Owners as Follows:**
Beazer Homes Corp.
1018 Elm Hill Pike
Nashville, TN 37210

**Send Tax Bills To:**
SAME

**Map-Parcel Number:**
Map 141-5-A
Parcels 72

## WARRANTY DEED

**FOR AND IN CONSIDERATION** of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged,

**Avondale Residential, Inc., a Tennessee corporation** ( "Grantor") does hereby bargain, sell, transfer and convey unto **Beazer Homes Corp.**, a Tennessee corporation ("Grantee") its successors and assigns, property located in Nashville Davidson County, Tennessee and more particularly described as follows:

**Land in Davidson County, TN being Lot No. 72 on the Plan of Avondale Park, Phase I, Section 3 of record in Instrument No. 20090318-0024198 Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.**

**Being Part of the same property conveyed to Avondale Residential, Inc. by Deed from Avondale Park Partnership recorded in Record Book 200505 18-0055805 said Registers Office for Davidson County, Tennessee.**

This conveyance is subject to matters shown on Exhibit A attached hereto

TO HAVE AND TO HOLD said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the said Beazer Homes Corp., its successors and assigns, forever.

AND **Avondale Residential, Inc.** does hereby covenant with the said Beazer Homes Corp. that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it and

that the same is unencumbered, except as otherwise provided herein.

AND **Avondale Residential, Inc.** does further covenant and bind itself, its successors, representatives and assigns to warrant and forever defend the title to said land to the said Beazer Homes Corp., its successors and assigns against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, this Warranty Deed has been executed this 28 day of July, 2009.

**Avondale Residential, Inc.**

By: Michael Smith

**Michael Smith, Secretary**

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, Margaret L. Saylor of the state and county mentioned, personally appeared **Michael Smith**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be **Secretary** of **Avondale Residential, Inc.**, the within named bargainor and that he as such **Secretary**, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing his name as **Secretary**.

WITNESS my hand and seal, the 28 day of July, 2009.

Margaret L. Saylor
Notary Public

My Commission Expires: 1/23/2010.

MARGARET L. SAYLOR
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 23, 2010

Exhibit A
Title Exceptions

1. All matters appearing on subdivision plats of record in instrument Number **20081218-0121117 and 20090318-0024196** of Registers Office for Davidson County, Tennessee.

2. Access Easement Agreement recorded in Instrument Number 20041207-0145662 said Registers Office.

3. Transmission Line Easement recorded in Instrument Number 20060110-0003857 said Registers Office.

4. Deed to USA recorded in Record Book 4118 Page 694 and in Book 4228 Page 635, said Registers Office

5. Order to TVA recorded in Record Book 4273 Page 280, said Registers Office

6. Easements to Harpeth Valley Utilities District in Instrument Number 20040204-0013639, 20040204-0013640, 20080818-0084836 & 20040204-0013641, said Registers Office.

7. Storm Water Detention Agreement Recorded in Instrument Number 20060512-0055867, said Registers Office.

8. Inspection & Maintenance Agreement for Private Stormwater Management Facilities recorded in Instrument Number 20071002-0117293, said Registers Office.

9. Easement in Book 5738 Page 819 and Partial Abandonment of Easement in Instrument No. 20080826- 0087638, said Registers Office.

10. Charter for HOA recorded in Instrument No. 20081203-0117350, said Registers Office.

11. Declaration of Protective Covenants, Conditions and Restrictions for Avondale Park of record in Instrument No. 20081203-0117452, and amended in Instrument Number 20090331-0028791, said Registers Office.

12. Easement for right-of-way of an electric power line granted to Tennessee Electric Power Company by James B. Ezzell and wife, Fanny M. Ezzell, of record in Book 787, Page 7, said Register's Office.

13. Easement and right-of-way for electric power transmission lines and poles with rights of ingress and egress and other rights and privileges as set out in granted to the United States by John Smallman Cowden and wife, Ruby S. Cowden, of record in Book 4193, Page 903, said Register's Office.

15. Easement for water line granted by Rodgers Properties, Inc. (formerly J.M.R. Development Co.), to Harpeth Valley Utilities District of Davidson and Williamson Counties, of record in Book 5738, page 832, said Register's Office.

16. Easement for sewer line granted by Michael R. Allison to Harpeth Valley Utilities District of Davidson and Williamson Counties, of record in Book 7601, Page 400, Register's Office for Davidson County, Tennessee.

17. Easement for water main across the Dower Tract, a part of the Properly, from the 38.71 acre tract conveyed to John Smallman Cowden ,of record in Book 1237, Page 674, Register's Office from Davidson County, Tennessee, to the Big Harpeth River and privilege of building a pump house and drainage across the Dower Tract (see deed of record in Book 840, Page 540, Register's Office for Davidson County, Tennessee).

18. Declaration of Restrictive Covenants, of record as Instrument No. 20020821-0100879, Register's Office for Davidson County, Tennessee.

19. 2009 property taxes, a lien not yet due and payable. Map 141-5-A parcel 72 **Davidson County, Tennessee**.