WARRANTY DEED

Davidson County DEEDWARR
Recvd: 12/10/02 13:41 2pgs
Fees:13.00 Taxes:943.63

20021210-0152216

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $255,034.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 4TH DAY OF DECEMBER, 2002.

Notary Public

MY COMMISSION EXPIRES: 3/11/03

(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
Charles H. Beaty, P.C., BPR. #2282, 668 Nashville Pike, Suite 200, Gallatin, TN 37066

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Stacy N. Smith	SouthTrust Mortgage Corporation	Map 160-16
(NAME)	(NAME)	
828 Pisgah Park	210 Wildwood Parkway	Group B
(ADDRESS)	(ADDRESS)	
Brentwood, TN 37027	Birmingham, AL 35209	Parcel 4.00
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, **Newmark Homes, L.P., A Texas Limited Partnership**, HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO **Stacy N. Smith and Elizabeth C. Smith, both unmarried, as joint tenants with right of survivorship and not as tenants in common** HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

LAND in Davidson County, Tennessee, being Lot No. 4, Revision One, Section One, Brentwood Chase, as shown by plat appearing of record in Plat Book 9700, Page 936-941, of the Register's Office for Davidson County, Tennessee to which plat reference is hereby made for a more complete description of said lot.

BEING a portion of the property conveyed to Newmark Homes, L.P., A Texas Limited Partnership by deed dated September 4, 2002 from Wilson Concord, L.P., having a TOLL TN GP Corp., a Tennessee corporation as its sole general partner recorded as Instrument No. 20020910-00109980, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING CONDITIONS:
Subject to all matters shown on the Plan of record in Plat Book 9700, Page 936-941, said Register's Office, Davidson County, Tennessee.
Subject to Declaration of Covenants, Conditions and Restrictions of record in Instrument No. 200005310053798 and Amended in Instrument No. 200008310086366, said Register's Office.
Subject to Water Mains and Appurtenances Easements of record in Book 8371, Page 320, said Register's Office.
Amended and Restated Charter of record in Instrument No. 200005240051842, said Register's Office.
Permanent Easement for Drainage of record in Book 7902, Page 389, said Register's Office.
Subject to Storm Water Detention Agreement of record in Book 11115, Pages 281 & 286, said Register's Office.

unimproved ☐

This is improved ☒ property, known as 828 Pisgah Park, Brentwood, TN 37027

(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, 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 4th day of December, 2002.

Newmark Homes, L.P., A Texas Limited Partnership of
Newmark Homes Corporation, A Nevada Corporation

By: _____
Brent Hopper, Vice President

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, BRENT HOPPER, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Vice President of the maker or a constituent of the maker 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 and official seal at Brentwood, Tennessee this 4th day of December, 2002.

Commission expires: 3/11/03

_____
Notary Public

TAMMY HODGES
MY COMM. EXP.
NOTARY PUBLIC AT LARGE
3-11-03
SUMNER COUNTY, TENN.