Davidson County DEEDWARR
Recvd: 12/12/05 09:46 2 pgs
Fees:13.00 Taxes:671.70

20051212-0148691

STATE OF TENNESSEE
COUNTY OF Williamson

This instrument was prepared by
Overland Title Company, LLC
2131 Maryland Way, Suite 200
Brentwood, TN 37027

The actual consideration or value, whichever is greater, for this transaction is $181,540.00.

Elizabeth L. Smith
Affiant

Sworn to and subscribed before me this 7 day of December 2005.

My Commission Expires: My Commission Exp. Jan. 26, 2006

Notary Public

Address of New Owner:	Send Tax Bills to:	Map-Parcel Numbers:
Elizabeth L. Smith 309 Harbor Village Dr. Madison, TN 37115	Elizabeth L. Smith 309 Harbor Village Dr. Madison TN. 37115	34-7-A-83.00

SPECIAL WARRANTY DEED

For and in consideration of the sum of Ten and No/100 ($ 10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Newmark Homes, L.P., a Texas Limited Partnership**, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto **Elizabeth L. Smith**, hereinafter called the Grantee, her heirs and assigns, a certain parcel of land in Davidson County, Tennessee, described as follows:

Being Unit No. 65, on the Plan of the Town Homes Property Line Exhibit of Harbor Village, Phase IV, a Horizontal Property Regime with Private Elements as shown by plat of record in Instrument No. 20030611-0080857, Revision 1 of record in Instrument No. 20030723-0102986, and Second Amendment of record in Instrument No. 20050120-0007505, Register's Office for Davidson County, Tennessee, to which reference is made for a more complete description. Said plat prepared by R. Scott Cherry, Cherry Land Surveying, Inc., R.L.S. 1512, 622 West Iris Dr., Nashville, TN 37204.

Being part of the same property conveyed to Newmark Homes, LP, by warranty deed from Coleman Lake Partners, LLC, of record in Instrument 20050819-0098876, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to 2005 taxes, which have been paid, prorated and assumed by Grantee, taxes for subsequent years, a lien not yet due and payable; zoning, building restrictions,

setback requirements and general utility, sewer, and drainage easements of record, subdivision declarations, reservations, conditions, covenants, assessments, including homeowners' association assessments, restrictions, rights-of-way, and easements of record; facts that an accurate survey or inspection would disclose, and other matters of public record.

This is improved property known as 309 Harbor Village Dr., Madison, Tennessee 37115.

TO HAVE AND TO HOLD said tract of land, with the appurtenances, estate, title and interest thereto belonging to said Grantees, their heirs and assigns, forever. Grantor does hereby covenant with Grantee that Grantor has not made, done, executed, allowed or suffered any act, instrument or thing whatsoever whereby said land, or any part thereof, now or at any time hereafter shall be charged or encumbered in any manner whatsoever; and Grantor does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to said land to said Grantees, their heirs and assigns, against the lawful claims of all persons claiming by, through or under said Grantor, but not otherwise. Wherever used, the plural shall include the singular, the singular the plural, and the use of any gender is applicable to all genders.

WITNESS our hands this 7th day of December 2005.

Newmark Homes, L.P.

By: Elaine Rogers

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, Belinda J. Cottrell of the state and county mentioned, personally appeared Elaine Rogers, with whom I am personally acquainted, and who, upon oath, acknowledged such person to be the Division Vice President of TOUSA Homes, Inc., General Partner of Newmark Homes, L.P., a Texas Limited Partnership, the within named bargainor, and as such Division Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation as such Division Vice President of TOUSA Homes, Inc., General Partner of Newmark Homes, L.P.

Witness my hand, at office, this 7th day of December 2005.

Belinda J Cottrell
Notary Public

My Commission Expires:

6-7-08