Davidson County DEEDWARR
Recvd: 01/05/06 11:39 2 pgs
Fees:13.00 Taxes:944.06
20060105-0001565

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

This instrument was prepared by

Overland Title Company, LLC
5121 Maryland Way, Suite 200
Brentwood, TN 37027

The actual consideration or value, whichever is greater, for this transaction is $ 255,150.00.

Affiant

Sworn to and subscribed before me this 30th day of December 2005.

Notary Public

MARY L. MITCHELL NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 1/27/07

Address of New Owner:	Send Tax Bills to:	Map-Parcel:
J. Harold Whitaker 813 Barrington Place Dr. Brentwood, TN 37027	Preferred Home Mortgage 1410 N. Westshore Blvd., #700 Tampa, Florida 33607	Part of 160-103

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 **James H. Whittaker and wife, Shirley D. Whittaker**, his heirs and assigns, a certain parcel of land in Davidson County, Tennessee, described as follows

Being Lot No. 62 as set forth in the Master Deed and Bylaws for Barrington Place, a Horizontal Property Regime With Private Elements, of record in Instrument 20050914-0110701 and corrected in Instrument 20051025-0128696, P.U.D. Boundary Survey of record in Instrument 20050404-0036360, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more particular description of said lot. Description is the same as in the previous deed of record.

Being part of the same property conveyed to Newmark Homes, L.P., by warranty deed from Mayfair Development Group, LLC, of record in Instrument 20051110-0136171, Register's Office for Davidson County, Tennessee.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UINSATISFACTORY WHEN RECEIVED

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, 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 813 Barrington Place Dr., Brentwood, Tennessee 37027.

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 30 day of December 2005.

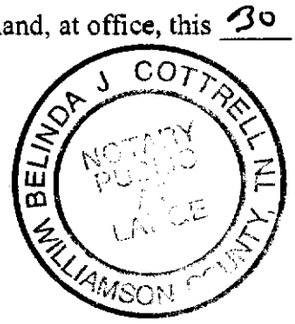
Newmark Homes, L.P.

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 30 day of December 2005.



Belinda J Cottrell
Notary Public