STATE OF TENNESSEE
COUNTY OF WILLIAMSON

This instrument was prepared by:

Overland Title Company, LLC
5121 Maryland Way, Suite 200
Brentwood, TN 37027
2006050185

The actual consideration or value, whichever is greater, for this transaction is $228,375.00.

Dorothy A. Radatz
Affiant

AFter recording return to:
Robert L. Scruggs, Attorney
2525 21st Avenue South, 2nd Fl
Nashville, TN 37212

Davidson County DEEDWARR
Recvd: 06/30/06 12:36 2 pgs
Fees:13.00 Taxes:844.99

20060630-0078546

Sworn to and subscribed before me this 28th day of June, 2006.

ROBERT L. SCRUGGS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN
My Commission Expires July 25, 2009

My Commission Expires:

Notary Public

Address of New Owner:
Dorothy Radatz
818 Barrington Pl. Dr.
Brentwood, TN 37027

Send Tax Bills to:
Same As Owner

Map-Parcel:
171-4-C-10 CO

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 **Dorothy A. Radatz, Trustee, or Successor Trustee, under the Michael J. and Dorothy A. Radatz Family Trust dated October 22, 2001, as amended and restated on April 28, 2004,** their heirs and assigns, a certain parcel of land in **Davidson** County, Tennessee, described as follows

Being Lot No. 10 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 property. Description is the same as the previous deed of record.

Being part of the same property conveyed to Newmark Homes, LP, a Texas limited partnership by warranty deed from Mayfair Development Group, LLC, of record in Instrument No. 20060331-0036566, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to 2006 taxes, which have been 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 818 Barrington Pl. Dr., Brentwood, TN 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 28th day of June, 2006.

Newmark Homes, L.P.

By: Elaine Rogers

Elaine Rogers, V.P.

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, Trina Esposito 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 28th day of June, 2006.

TRINA M. MAXWELL-ESPOSITO
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

Notary Public

9/22/09