This instrument prepared by:
TrustLand Title & Escrow, LLC.
1720 West End Avenue Suite 400
Nashville, TN 37203
(615) 522-0140
Drop Box 32
File No.: **07-1486**

Davidson County DEEDWARR
Recvd: 04/09/07 10:26 2 pgs
Fees:13.00 Taxes:775.71
20070409-0041585

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this **March 28, 2007** by and between **Marquis Homes, LLC., a limited liability company, ("Grantor")** parties of the first part, and **Spencer W. Toone and Kristen L. Toone, husband and wife, ("Grantee")** party of the second part,

WITNESSETH: This for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part had bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described Real Estate, situated and being in the City of **Nashville**, County of **Davidson**, State of Tennessee, to wit:

Land in Davidson County, Tennessee, being Unit 1033, WOODBURY TOWNHOMES, PHASE 1 Planned Unit Development, as shown on plat of record in Instrument No. 20050216-0017693, in the Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being part of the same property conveyed to Marquis Homes, LLC from Gallardia Properties, LLC dated July 12, 2006 as of record in Instrument Number 20060717-0085920, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

County taxes for the year 2007, a lien not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with the GRANTORS paying their prorate share thereof to GRANTEES who will be responsible for payment of said taxes.

1) Restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of WOODBURY TOWNHOMES, PHASE 1, as recorded in Instrument No. 20060310-0028278 , but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c). 2)Declaration of Covenants, Conditions and Restrictions recorded in Instrument No. 20060310-0028278, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c). 3)Charter for Homeowners Association recorded at Instrument No. 20060309-0027744. 4)Easement for Utilities and Sanitary Sewer recorded in Book 5074, Pages 856 and 945. 5)Storm Water Detention Agreement recorded at Instrument No. 20050118-0005578. 6) Conveyances to State of Tennessee recorded in Book 8083, Pages 534, 541 and 547.

Parcel ID #: **P/O 128-72**
☒ Improved OR
☐ Unimproved property located at: **1033 Woodbury Falls Dr., Nashville, TN 37221**

TO HAVE AND TO HOLD the aforesaid Real Estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his/her heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that he/she is lawfully seized in fee simple of the aforedescribed real estate; that he/she has good right to sell and convey the same; that the same is unencumbered, EXCEPT as set forth herein, and that the title and quiet possession thereto he/she warrants and forever defends against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

Witness our hands on the **28th** day of **March, 2007.**

Marquis Homes, LLC

By: **James C Spangler**
It's: **Chief Manager**

State of **Tennessee**

County of **Davidson**

Before me, the undersigned of the State and County mentioned, personally appeared **James C Spangler** with whom I personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged such person to be the **Chief Manager** of **Marquis Homes, LLC.,** the within named bargainor, a limited liability company, and that such **James C Spangler,** executed the foregoing instrument for the purposed therein contained, by personally signing the name of the limited liability company as **Chief Manager.**

Witness my hand and Seal at office on the **28th** day of **March, 2007.**

Notary Public

My Commission Expires: C.M. CORRIVEAU STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAR. 21, 2009

State of **Tennessee**

County of **Davidson**

I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$209,650.00** which amount is equal or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this **28th** day of **March, 2007.**

Notary Public

My Commission Expires: C.M. CORRIVEAU STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAR. 21, 2009

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Owner's Name: **Spencer W. Toone and Kristen L. Toone**

and Address: **1033 Woodbury Falls Dr., Nashville, Tennessee 37221**

Mail tax bills to, (Person or Agency responsible for payment of taxes):
CTX Mortgage Company
P. O. Box 650269
Dallas, TX 75265-0269