Davidson County DEEDWARR
Recvd: 03/24/08 10:31 2 pgs
Fees:13.00 Taxes:477.82

20080324-0028773

This instrument was prepared by
OVERLAND TITLE COMPANY, LLC
106 Mission Court, Suite 1002
Franklin, TN 37067
**2007110005**

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The actual consideration or value, whichever is greater, for this transaction is $ 129,140.00.

Affiant

Sworn to and subscribed before me this 20th day of March, 2008.

Notary Public

My Commission Expires:

| Address of New Owner: | Send Tax Bills to: | Map-Parcel: |
|---|---|---|
| William J. Summerer<br>1382 Rural Hill Road, Unit #194<br>Antioch, TN 37013 | Realty Mortgage Company<br>7000 Executive Center Dr, Ste 200<br>Brentwood, TN 37027 | 163-2-C-47.00 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, Debtor in Possession**, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto **William J. Summerer and wife, Verna Summerer**, their heirs and assigns, a certain parcel of land in **Davidson** County, Tennessee, described as follows

Being Lot No. 47, Unit No. 194 as described in the Master Deed and Bylaws for Autumn Ridge Townhomes, a Horizontal Property Regime With Private Elements, of record in Instrument 20060404-0038533, and amended in Instrument 20060419-0045063, and in Instrument No. 20061115-0141803, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more particular description of said Unit. Description taken from Exhibit B of the First Amendment to Master Deed and Bylaws. The description is the same as the previous Deed of record.

Being part of the same property conveyed to Newmark Homes, L.P., a Texas Limited Partnership by Warranty Deed from Coleman Lake Partners, LLC, of record in Instrument No. 20071114-0133792. Further conveyed by Warranty Deed from Barbara A. McCall, also known as Barbara Annette King, and Tony M. McCall to Coleman Lake Partners, also known as Alliance Development, LLC, of record in Instrument No.20050218-0018753, re-recorded in 20050413-0041301, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to 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. Current year taxes are to be paid by ____Grantor __X__ Grantee.

NOTE: Said Deed is authorized by authorized pursuant to Order In re Tousa, Inc., et al., bearing Case No. 08-10928-JKO United States Bankruptcy Court, Southern District of Florida, filed for record in Instrument No. 20080229-0020142, Register's Office for Davidson County, Tennessee.

This is improved property known as **1382 Rural Hill Road, Unit #194, Antioch, TN 37013.**

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 20th day of March, 2008.

Newmark Homes, L.P., Debtor in Possession

By: Elaine Rogers

Elaine Rogers, V.P.

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, Debtor in Possession, 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., Debtor in Possession.

Witness my hand, at office, this 20th day of March, 2008.

BELINDA J COTTRELL NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

Belinda J Cottrell
Notary Public 6-7-08