

2006-146258

**WARRANTY DEED WITH VENDOR'S LIEN**

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

)(  
)(  
)

KNOW ALL MEN BY THESE PRESENTS:

THAT **ROBERT W ADAMS DANELLE W ADAMS**, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by **PAUL TISDALE and BRENDA TISDALE, HUSBAND AND WIFE** hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of one certain Promissory Note in the principal sum of **\$165,000.00**, of even date herewith, payable to the order of **FRANKLIN AMERICAN MORTGAGE COMPANY**, hereinafter called "Mortgagee", bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to **SCOTT R. VALBY**, Trustee; and

WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as included in the above-described Note, said Vendor's Lien against said property securing the payment of said Note is hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

**LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.**

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

43-938941

Taxes for the current year have been prorated and their payment is assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words "heirs, executors and administrators" or "heirs and assigns" shall, with respect to such corporation or trustee, be construed to mean "successors and assigns".

It is expressly agreed that the Vendor's Lien is retained in favor of the payee of said Note against the above-described property, premises and improvements, until said Note and all interest thereon shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

EXECUTED this 12TH day of DECEMBER, 2006.

*Robert W Adams*  
ROBERT W ADAMS

*Danelle W Adams*  
DANELLE W ADAMS

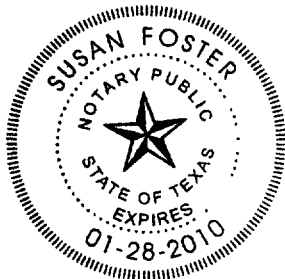
GRANTEE'S ADDRESS:

9675 LAKE CONROE DRIVE  
CONROE, TEXAS 77304

STATE OF *Texas*, COUNTY OF *Montgomery*

This instrument was acknowledged before me on this *12* day of *Dec. 2006*,  
by ROBERT W ADAMS and DANELLE W ADAMS.

*Susan Foster*  
NOTARY PUBLIC



AFTER RECORDING, RETURN TO:  
*Paul Tinsdale*  
*9675 Lake Conroe Drive*  
*Conroe, TX 77304*

**EXHIBIT 'A'**File No.: **938941-H043 (SF)**Property: **9675 Lake Conroe Drive, Conroe, TX 77304**

Being a 2.676 acre tract of land situated in the Elijah Collard Survey, A-7, and being that same tract called as 2.674 acres also known as Lot 1, in Block 1, of TRES, a subdivision recorded in Cabinet G, Sheet 39A, of the Map Records of Montgomery County, Texas and being more particularly described by metes and bounds as follows:

Commencing at a 3" brass disc in concrete found on the platted south R.O.W. line of Longmire Road (unspecified width-this portion) for the northeast corner of Lot 1, Block 2, of the above mentioned Tres Subdivision;

Thence N 73 deg. 35' 07" W (actual, plat call and bearing basis for this description along said south R.O.W. line, a distance of 415.05 feet (415.19 feet-plat call) to a 5/8" iron rod set for the Point of Beginning from which a 1" iron pipe found bears S 15 deg. 01' 35" W, a distance of 5.09 feet. Said iron rod is marking the northeast corner of Lot 1, Block 1, at the intersection of the South R.O.W. line of Longmire road with the west R.O.W. line of Lake Conroe Drive (a 60 ft. R.O.W.);

Thence S 16 deg. 20' 00" W, (actual and plat call) leaving said south R.O.W. and following the west R.O.W. of Lake Conroe Drive, a distance of 328.33 feet (328.00 feet-plat call), to a point for corner in a p.v.c. fence post from which a 1/2" iron rod found bears S 65 deg. 00' 42" E, a distance of 0.34 feet, and a 1/2" iron rod found for the southeast corner of Lot 2, Block 1, of Tres, bears S 16 deg. 17' 06" W, a distance of 186.87 feet (S 16 deg. 20' 00" W-187.00 feet-plat call);

Thence N 73 deg. 35' 07" W, (actual and plat call), leaving said west R.O.W. line, a distance of 355.00 feet (actual and plat call) to a 1/2" iron rod found for corner on the easterly line of a called 20.457 acre tract recorded in Clerk's File No. 9706826, Real Property Records, Montgomery County, Texas. From which a 1/2" iron rod found for the southwest corner of Lot 2, Block 1 of Tres bears S 16 deg. 20' 00" W (actual and plat call), a distance of 187.02 feet (187.00 feet-plat call);

Thence N 16 deg. 20' 00" E, (actual and plat call), along the 20.457 acre tract east line, a distance of 328.33 (actual) (328.00 feet-plat call) to a 5/8" iron rod set for corner on the previously mentioned platted south R.O.W. line of Longmire Road. From which another 5/8" iron rod found bears S 28 deg. 30' 46" W, a distance of 1.37 feet;

Thence S 73 deg. 35' 07" E (set and plat call), along said south R.O.W., a distance of 355.00 feet (set and plat call) to the Point of Beginning and containing 2.676 acres of land.

FILED FOR RECORD

06 DEC 15 PM 2:21

*Mark Turnbull*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify this instrument was filed in  
File Number Sequence on the date and at the time  
stamped herein by me and was duly RECORDED in  
the Official Public Records of Real Property at  
Montgomery County, Texas.

DEC 15 2006



*Mark Turnbull*  
County Clerk  
Montgomery County, Texas