

SALE AND PURCHASE AGREEMENTS

| | Debtor Entity | Date of Original Agreement | Other Contractual Party | Summary | Division |
|-----------|----------------------|-----------------------------------|--|---|-----------------|
| 1. | Newmark Homes, L.P. | September 23, 2005 | Lumbermen's Investment Corporation | Cibolo Canyon - Unit 3 and 4 | San Antonio |
| 2. | Newmark Homes, L.P. | October 18, 2005 | Lumbermen's Investment Corporation | Cibolo Canyon - Unit 5 (PUD) | San Antonio |
| 3. | Newmark Homes, L.P. | July 22, 2005 | HM Stonewall Estates, Ltd. | Stonewall Estates | San Antonio |
| 4. | Newmark Homes, L.P. | July 19, 2005 | HM Stonewall Estates, Ltd. | Stonewall Estates | San Antonio |
| 5. | Newmark Homes, L.P. | June 28, 2006 | MDSR GP, Inc. | The Village at Mayfield Ranch, Section 5 | Austin |
| 6. | Newmark Homes, L.P. | October 28, 2002 | Lumbermen's Investment Corp. dba Westside at Buttercup Creek | Westside at Buttercup Creek (Phase V section 1A, 1B, 2 and 7) | Austin |
| 7. | Newmark Homes, L.P. | February 22, 2002 | Lumbermen's Investment Corp. dba Westside at Buttercup Creek | Westside at Buttercup Creek (Phase V, section 2) | Austin |
| 8. | Newmark Homes, L.P. | March 1, 2005 | Lumbermen's Investment Corp. dba Westside at Buttercup Creek | Westside at Buttercup Creek (Phase V, section 8) | Austin |
| 9. | Newmark Homes, L.P. | September 6, 2007 | Mak Foster Ranch, LP | Belterra (Phase 4, Sections 13 and 14, 70' Lots) | Austin |

LANTANA OPTION AGREEMENT

| | Debtor Entity | Date of Agreement | Other Contractual Party | Summary | Division |
|-----------|----------------------|--------------------------|--------------------------------|---------------------------|-----------------|
| 1. | Newmark Homes, L.P. | August 1, 2003 | Erika Properties, Ltd. | Lantana Southwest Project | Austin |

LANTANA DEVELOPMENT AGREEMENT

| | Debtor Entity | Date of Agreement | Other Contractual Party | Summary | Division |
|-----------|----------------------|--------------------------|--|---------------------------|-----------------|
| 1. | Newmark Homes, L.P. | August 1, 2003 | Legacy/Monterey Homes, L.P. MHI Partnership, Ltd. Erika Properties, Ltd. | Lantana Southwest Project | Austin |

QWEST MARKETING AGREEMENT

| | Debtor Entity | Date of Agreement | Other Contractual Party | Summary | Division |
|-----------|----------------------|--------------------------|--------------------------------|--|-----------------|
| 1. | TOUSA Homes, Inc. | November 11, 2004 | Qwest Corporation | Marketing Agreement for telephone and internet services. | Phoenix |