Davidson County DEEDWARR
Recvd: 10/25/02 08:06 3pgs
Fees:18.00 Taxes:614.29

20021025-0130704

CASH DEED FOR TENNESSEE

FHA Case No. 483-272806

This instrument was prepared by the Department of Housing and Urban Development
Return to: Fearnley & Califf, PLLC - HUD
211 Donelson Pike - Suite 2
Nashville, TN 37214

This Indenture, made and entered into the 27th of September, 2002 by and between **MEL MARTINEZ,** Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and STEPHEN M. SMITH his/her/their/its heirs and assigns, party(ies) of the second part,

Witnesseth: That for and in consideration of the sum of Ten Dollars ($10.00), the receipt of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party(ies) of the second part, the following described real estate situate, lying and being in the County of Davidson, State of Tennessee, to wit:

Being Lot number 135 on the plan of Section Three, Boone Tract at Biltmore of record in Book 970 Page 759, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more particular description of said lot.

Property Address: 8173 Settlers Way Nashville TN 37221
Owner's Name: STEPHEN M. SMITH
Owner's Address: 8173 Settlers Way Nashville, TN 37221
Mail Tax Bill to: 8173 Settlers Way, Nashville, TN. 37221
Parcel No.: 126-15-0 A 169.00

THIS DEED IS NOT TO BE IN EFFECT UNTIL: September 27,2002

Being the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531), by deed dated 03-06-2002 recorded at 20020705-0080900 at the Register's Office of Davidson County, Tennessee.

To Have and to Hold the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party(ies) of the second part, his/her/their heirs and assigns in fee simple forever.

Said Conveyance is made subject to all covenants, easements, restrictions, reservations, conditions and rights appearing of record against the above described property; also **Subject** to any state of facts which an accurate survey of said property would show.

And the Said party of the first part does hereby covenant with the said party(ies) of the second part that he is lawfully seized in fee of the aforedescribed real estate; that he has a good right to sell and convey the same; that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons, claiming same, by, through or under him but no further or otherwise.

In Witness Whereof the undersigned has set his hand and seal as **Attorney In Fact,** HUD Office, Memphis, Tennessee, for and on behalf of the said Secretary of Housing and Urban Development, under authority and by virute of the Federal Register, Volume 35, Page 16106 (10/14/70), as amended.

Signed, sealed and delivered in the presence of:

Joel Blanca

Gana

The Secretary of Housing and Urban Development
of Washington, D.C., and/or his/her successors
and/or assigns

By: Mitzi McCurry
Authorized Signatory

Nashville, Tennessee

State of Illinois)
County of Cook)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared ; who is personally well known to me and known to me to be the duly appointed **Attorney in Fact,** HUD Office, Nashville, Tennessee, and the person who executed the foregoing instrument bearing date , by virtue of the above cited authority and acknowledge the foregoing instrument to be his/her free act and deed as **Attorney in Fact** for and on behalf of **Andrew M. Cuomo**, Secretary of Housing and Urban development.

Witness my hand and official seal this day of ,

My Commission Expires:

(Seal))
Notary Public

I, or we, hereby swear or 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 $166,025.00, which amount is equal to 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 20TH day of SEPTEMBER 2002

My Commission Expires:
7-30-06

(Seal)
Notary Public

JOSHUA R. HOPKINS NOTARY PUBLIC AT LARGE SUMNER COUNTY, TENN.

Previous Editions are Obsolete

HUD-91879 (4085 Edition)
(24 CFR 200.150)

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On September 26 2002, before me, Kevin Sun Kim, personally appeared MITZE MCCURRY, personally know to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as the AUTHORIZED AGENT of the Secretary of Housing and Urban Development and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kevin Kim

KEVIN SUN KIM
Comm. # 1321230
NOTARY PUBLIC - CALIFORNIA
Orange County
My Comm. Expires Sept. 17, 2005