CASH DEED FOR TENNESSEE

FHA Case No. 483-271203

This instrument was prepared by the Department of Housing and Urban Development
Return to: Fearnley & Califf, PLLC - HUD
211 Donelson Pike - Suite 14
Nashville, TN 37214

This Indenture, made and entered into the 26th of March , 2003 by and between **MEL MARTINEZ,** Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and JAMES DOUGLAS DURHAM AND CYNTHIA LEA NICHOLS, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP 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 19, on the Revised Plat Plan of Hermitage Hills, Section 12, of record in Plat Book 4675, Page 125, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Davidson County DEEDWARR
Recvd: 04/10/03 14:40 3pgs
Fees:18.00 Taxes:326.71
20030410-0047927

Property Address: 824 Hermitage Ridge Hermitage TN 37076
Owner's Name: JAMES DOUGLAS DURHAM AND CYNTHIA LEA NICHOLS
Owner's Address: 133 Donald St Nashville, TN 37207
Mail Tax Bill to: OWNER @ PROPERTY ADDRESS
Parcel No.: 074-04-0 046.00

THIS DEED IS NOT TO BE IN EFFECT UNTIL: March 26, 2003

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 09-04-2002 recorded at 20021107-0137435 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:

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

By: _____
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 MITZE MCCURRY, 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 $*88,300.00, 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 24th day of March 2003

My Commission Expires: 7-30-06

_____(Seal)
Notary Public

JOSHUA D. 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 March 20, 2003, before me, Barbara A. Bandoli, 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 she executed the same in her authorized capacity as the AUTHORIZED AGENT of the Secretary of Housing and Urban Development and that by her 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.

Barbara A. Bandoli

TCC1 BARBARA A. BANDOLI COMM. #1402253 NOTARY PUBLIC - CALIFORNIA ORANGE COUNTY MY COMM. EXPIRES FEB. 24, 2007 TCC