Davidson County DEEDWARR
Recvd: 09/16/03 08:40 3pgs
Fees:18.00 Taxes:394.05
20030916-0135491

# CASH DEED FOR TENNESSEE

FHA Case No. 483-248408

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 9 of September , 2003 by and between **MEL MARTINEZ,** Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and SHARON L. 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:

Land in Davidson County, Tennessee, being the major part of Lot Number 218, on the map of Fortland Park, Section I, as shown on plat of record in Plat Book 2663, Page 61, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

**Property Address:** 2811 Barclay Drive Nashville TN 37206
**Owner's Name:** SHARON L. SMITH
**Owner's Address:** 335 Tamworth Dr Nashville, TN 37214
**Mail Tax Bill to:** Owner @ Property Address
**Parcel No.:** 094-03-0 035.00

THIS DEED IS NOT TO BE IN EFFECT UNTIL: September 9, 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 05-30-2003 recorded at 20030625-0087064 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:

Allyn Johnston

Bethye Black

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 , 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 $106,500.00, 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 4th day of September, 2003

My Commission Expires:
5/16/06

JAMES ANDREW WILEY NOTARY PUBLIC AT LARGE SHELBY CO., TENN.

_____ (Seal)
Notary Public

Previous Editions are Obsolete

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

**STATE OF TEXAS** §
**COUNTY OF BEXAR** §

Before me, the undersigned, a Notary Public in and for the State of Texas, personally appeared Robert Kolitz, who is personally known to me and know to me to be the duly appointed Attorney-in-Fact, and to be the person who executed the foregoing instrument bearing the date 9.3.03, by virtue of the above-cited authority and acknowledged the foregoing instrument to be his/her free act and deed as Attorney-in-Fact for and on behalf of the Secretary of Housing and Urban Development.

Witness my hand and official seal this 3 day of Sept, 2003.

Delia L. Garcia
Notary Public, State of Texas

My commission expires:

5.27.2006

