Davidson County DEEDWARR
Recvd: 11/13/03 10:19 3pgs
Fees:18.00 Taxes:223.67
20031113-0166015

CASH DEED FOR TENNESSEE

FHA Case No. 483-296216

This instrument was prepared by the Department of Housing and Urban Development
Return to: Fearnley & Califf, PLLC - HUD
211 Donelson Pike - Suite 113
Nashville, TN 37214

This Indenture, made and entered into the 17th of October, 2003 by and between **MEL MARTINEZ,** Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and KENDALL DYER and JEFFREY A. PHILLIPS 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:

A condominium apartment in Davidson County, Tennessee, being Townhouse No. 100, Building No. 18 of Hickory Valley Condominiums Phase 2, a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on the Plan of record in Book 4460, Page 133, Register's Office for Davidson County, to which source reference is hereby made for a more complete description, together with the said apartment appurtenant undivided interest in the general and limited common elements of the Condominium.

Property Address: 5510 Country Dr #100 Nashville TN 37211
Owner's Name: KENDALL DYER and JEFFREY A. PHILLIPS
Owner's Address: 952 Sneed Road West Franklin, TN 37069
Mail Tax Bill to: Owner @ Owner's Address
Parcel No.: 162-09-0 A 100.00 CO

THIS DEED IS NOT TO BE IN EFFECT UNTIL: October 17, 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 05-15-2003 recorded at 20030716-0099740 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 , 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 $*60,450.00, 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 17TH day of OCTOBER 2005.

My Commission Expires:
_____

_____(Seal)
Notary Public

CORY J. WILLIAMS
Notary Public At Large
DAVIDSON COUNTY, TENN.
My Commission Expires
May 30, 2007

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 _10-21-03_____, 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 _21_ day of __October____, __2003___.

My commission expires:

____ May 27, 2006_____

Notary Public, State of Texas

DELIA L. GARCIA
Notary Public, State of Texas
My Commission Expires
MAY 27, 2006