Davidson County DEEDWARR
Recvd: 06/07/04 14:40 3pgs
Fees:18.00 Taxes:303.77
20040607-0067079

CASH DEED FOR TENNESSEE

FHA Case No. 483-280126

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

This Indenture, made and entered into this 21st day of May, 2004 , by and between **Alphonso Jackson,** Acting Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and **GARY L. SMITH,** an unmarried man his/her their 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 Unit Number 135 on the plan of Breckenridge Condominiums, as of record in Book 6808, Page 73, Register's Office for said County, as an exhibit to the Master Deed of record in Book 6808, Page 45, said Register's Office, to which plan reference is made.

Property Address: **135 Hicks Rd, Nashville, TN 37221**
Owner's Name: **GARY L. SMITH**

Owner's Address: 5152 **Hunters Point Ln, Hermitage, TN 37076**
Mail Tax Bill to: Owner at Owner's Address

Parcel No.: **142-15-0 C 135.00**

THIS DEED IS NOT TO BE IN EFFECT UNTIL: May 21st, 2004

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 October 22, 2003 and recorded at Instrument No. 20040302-0023346 in 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/she 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 virtue of the Federal Register, Volume 35, Page 16106 (10/14/70), as amended.

Signed, sealed and delivered in the presence of:

Kathryn Garcia

Traci L Sommerville

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

By: Valli Lynn Walker
Authorized Signatory
Nashville, Tennessee

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 **$82,101.00**, 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 21st day of May, 2004

My Commission Expires:
5/16/06

Notary Public (Seal)

NOTARY PUBLIC AT LARGE

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 Valli Lynn Walker, 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 5/19/04, 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 19th day of May, 2004.

My commission expires:

K. DIANA
Notary Public, State of Texas

Notary Public, State of Texas

K. DIANA
Notary Public, State of Texas
My Commission Expires
January 23, 2008