Davidson County DEEDWARR
Recvd: 07/08/04 14:58 4pgs
Fees:23.00 Taxes:185.00
20040708-0081468

CASH DEED FOR TENNESSEE

FHA Case No. 483-136311

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 June, 2004** ,by and between **Alphonso Jackson,** Acting Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and **JAMES L. PHELPS,** a Single 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:

**********SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCSRIPTION*********

Property Address: *** 1426 Riverside Dr. Nashville, TN 37206**
Owner's Name: *** JAMES L. PHELPS**

Owner's Address: *** 519 Raymond St. Nashville TN., 37211**
Mail Tax Bill to: *** Owner at Property Address**

Parcel No.: *** 83-03 124.00**

THIS DEED IS NOT TO BE IN EFFECT UNTIL: June 21, 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 January 14, 2004 and recorded at Instrument No. 20040406-0039108 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:

Rose Lyn Garcia

Sandra Bay

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

By: Valle 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 **$50,000.00**, 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 JUNE, 2004

My Commission Expires: 7-30-06

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 6/17/04, 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 17th day of JUNE, 2004.

My commission expires:

Notary Public, State of Texas

JOSE G. DELAFUENTE
Notary Public, State of Texas
My Commission Expires
January 23, 2008

EXHIBIT "A" LEGAL DESCRIPTION

Land in Davidson County, Tennessee, being part of Lot number 2 on the Map of the subdivision of the Bradford & McClure Lands, being a subdivision of Lots 61, 62 and part 63 of Brownsville, as of record in Book 21, Page 9 Register's Office for said County, said Bradford and McClure Subdivision being unrecorded and described according to a copy of a survey thereof made by James A. Hamilton, Jr., dated March 3, 1953, as follows: Beginning at a iron pin in the center line of Riverside Drive; thence North 86 degrees 30 minutes West 283 feet to an iron pin in a fence line: thence North 11 degrees 07 minutes East 120 feet to an iron pin set 5 feet from the corner of the North side of lot; thence South 86 degrees 30 minutes East 360.45 feet to an iron pin on the center of Riverside Drive: thence with said Drive Southwesterly along the center line 151.2 feet , to the point of beginning. Included within the above description but excluded from this conveyance is the following property. Beginning at an iron pin in the centerline of Riverside drive, corner of the Rickman lot as recorded in Book 664, page 426, Register's Office for Davidson County, Tennessee and the Burke lot as recorded in Book 2139 Page 253, thence North 86 degrees 30 minutes West 173 feet, 46 feet to a point, being the Northerly Line of the said Burke lot and also the Southerly line of said Rickman lot, thence South 81 degrees 38 minutes East 175.00 feet to a point in the centerline of Riverside Drive, thence Northerly along a centerline 16.25 feet to the point of beginning—being a triangular piece of property containing approximately 1400 square feet, more or less. There is also conveyed by this instrument the following property: Beginning at an iron pin in the Northerly line of the Burke lot 22 feet East of the Westerly Burke line as recorded in Book 2139, Page 253, said pin being also the Westerly marker of the Rickman lot, as recorded in Book 644, Page 426, Register's Office for Davidson County, Tennessee, thence North 11 degrees 07 minutes East 14 feet: thence South 81 degrees 38 minutes East 163.54 feet to a point in the common line between the said Burke and Rickman property: thence North 86 degrees 30 minutes West 164.99 feet to the point of beginning, being a triangular piece of property, containing approximately 1,150 square feet more or less.