Davidson County DEEDWARR
Recvd: 07/20/04 12:47 4pgs
Fees:23.00 Taxes:113.81
20040720-0086440

CASH DEED FOR TENNESSEE

FHA Case No. 483-203010

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 9 day of July , by and between **Alphonso Jackson,** Acting Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and **ROSE M. SMITH and HOLLIS SMITH**, Husband & Wife,
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 DESCRIPTION*****

Property Address:	**1801 Elizabeth Rd, Nashville, TN 37218**
Owner's Name:	**ROSE M. SMITH**
	HOLLIS SMITH
Owner's Address:	**2722 Morton Lane, Smyrna, TN 37167**
Mail Tax Bill to:	**Owner at Owner's Address**
Parcel No.:	**069-16-0 106.00**

THIS DEED IS NOT TO BE IN EFFECT UNTIL: July 9, 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 8 2003, and recorded at Instrument No.20040419-0043639 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:

Gay R Lott

Rose Dyer Garcia

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

By: 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 **$30,760.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Rose M. Smith
Affiant

Subscribed and sworn to before me this 9th day of July, 2004

My Commission Expires:
5/16/06

Notary Public (Seal)

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

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 7/2/04, 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 2nd day of JULY, 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"

PART OF LOT NUMBERS 14 & 15, ON THE PLAN OF ASHTON SUBDIVISION, OF RECORD IN PLAT BOOK 421, PAGE 19, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION. SAID LOTS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST INTERSECTION OF OLD HYDES FERRY PIKE AND ELIZABETH AVENUE, NORTHERLY 100 FEET TO THE SOUTHWEST OF THE CORNER OF THE PROPERTY CONVEYED TO HOWARD BROD AND WIFE, BY DEED OF RECORD IN BOOK 1041, PAGE 304, SAID REGISER'S OFFICE; THENCE, IN A WESTERLY DIRECTION ALONG THE SOUTHERLY MARGIN OF THE ELROD PROPERTY 155 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION 100 FEET TO A POINT IN THE NORTHERLY MARGIN OF THE OLD HYDES FERRY PIKE; THENCE, WITH THE NORTHERLY MARGIN OF SAME, EASTERLY 155 FEET TO THE POINT OF BEGINNING.