RT
3458

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this July 24, 2007, by and between **NOVASTAR MORTGAGE, INC.** , herein called Grantor, and **STEVEN NICKENS AND TINA NICKENS, HUSBAND AND WIFE**, herein called Grantees,

WITNESSETH: That for and In consideration of **TEN AND 00/100 Dollars ($10.00),** cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto the Grantee the following described real estate, situated and being in, County of **DAVIDSON,** State of **TENNESSEE.**

Legal description is included on the attached Exhibit "A" which is incorporated by this reference. Being the same property conveyed by Deed of record recorded in the **DAVIDSON COUNTY REGISTER, TENNESSEE** under Instrument No. **20070402-0039309.**

TO HAVE AND HOLD the aforesaid real estate together with all the appurtenance and hereditaments thereunto belonging or in any wise appertaining unto the Grantee, his heirs, successors and assigns in fee simple forever.

The Grantor does hereby covenant with the Grantee that he is lawfully seized in fee of the aforesaid real estate; that he has good right to sell and convey the same; that the same is unencumbered, with the exception of the following:

1. City of NA taxes for the year _____, and all subsequent years, the amount of which are not yet ascertainable, due or payable County of **DAVIDSON** taxes for the year 2007, and all subsequent years, the amount of which are not yet ascertainable, due or payable.

2. Other exceptions if any listed below.

and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons, Claiming by, through, or under it, but not further or otherwise.

The reference to singular person shall mean more than one person where applicable, and pronouns shall be construed by their proper gender and number according to the context hereof.

Davidson County DEEDWARR
Recvd: 08/21/07 10:39 3 pgs
Fees:18.00 Taxes:502.83
20070821-0099966

WITNESS the signature of the Grantor the day and year first above written.

NOVASTAR MORTGAGE, INC.

By: **John Crockett** Jennifer Ngelale
VP - Collections
Title: **REO Supervisor**

STATE OF MISSOURI
COUNTY OF CLAY

Personally appeared before me, Phyllis J. Capps, the within named, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person(s) executed the within instrument for the purposes herein contained.

Witness my hand, at office: 8140 Ward Parkway, Suite 300
Kansas City, MO 64114.

Phyllis J. Capps
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: Feb. 13, 2011
Commission # 07008887

NOTARY PUBLIC
My Commission Expires: **February 13, 2011**

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 $135,900.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

By: Jennifer Ngelale Affiant
VP - Collections

Witness my hand, at office: 8140 Ward Parkway, Suite 300,
Kansas City, MO 64114.

Phyllis J. Capps
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: Feb. 13, 2011
Commission # 07008887

NOTARY PUBLIC
My Commission Expires: **February 13, 2011**

Property Address: **5183 OLD HYDES FERRY PARK; NASHVILLE, TN. 37218**
Owner's Name: **STEVEN NICKENS AND TINA NICKENS, HUSBAND AND WIFE**
Owner's Address: **5183 OLD HYDES FERRY PARK; NASHVILLE, TN. 37218**
Mail Tax bill to: First Tennessee Home Loans. A Division of First Tennessee Bank NA
Parcel No. **067-00-0-102.00** Title No. File No.
4000 Horizon Way Irving Texas 75063

This instrument was prepared by: BOIKO AND OSIMANI, P.C., 3447 N. Lincoln Ave., Chicago, Illinois 60657; Phone: 773-296-6100, Fax: 773-296-6166

EXHIBIT A

Part of the _____ property as recorded in _____ County Register's Office under Instrument No. BY _____ and being more particularly described as follows:

BEING A TRACT OF LAND IN THE 13TH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, MORE PARTICULARLY DESCRIBED ACCORDING TO SURVEY MADE BY DONALD R. CARVER, SURVEYOR, ON APRIL 14, 1973, AS FOLLOWS:

BEGINNING AT A POINT 164 FEET NORTH OF THE CENTER OF SULPHER CREEK, THENCE WITH A SURVEY LINE (THE PROPERTY LINE IS THE CENTER OF SAID SULPHER CREEK) NORTH 87 DEGREES 00' WEST 187.16 FEET TO A POINT WHICH IS 170 FEET NORTHERLY FROM THE CENTER LINE OF SAID SULPHER CREEK; THENCE 12 DEGREES 58' (ERRONEOUSLY TYPED "FEET" IN PRIOR DEED RECORD) EAST 500 FEET TO A POINT; WHICH POINT; THENCE NORTH 87 DEGREES 30' WEST 75 FEET TO A POINT; THENCE NORTH 8 DEGREES 00' EAST 280 FEET TO A POINT, WHICH POINT IS SOUTH 8 DEGREES 00' WEST 21 FEET FROM THE CENTER LINE OF THE OLD ASHLAND CITY HIGHWAY; NORTH 77 DEGREES 00' EAST 180 FEET TO A POINT; THENCE SOUTH 2 DEGREES 15' WEST 858.65 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY CONVEYED TO JOSHA C. MACKEY, AN UNMARRIED MAN BY WARRANTY DEED FROM WILLIAM W. BEST, JR. AND WIFE, MARY BETH BEST, DATED JULY 29, 2004 AND RECORDED ON AUGUST 9, 2004 IN INSTRUMENT NO. 20040809-0095446, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

SAID PROPERTY BEING FURTHER CONVEYED TO NOVASTAR MORTGAGE, INC. BY SUBSTITUTE TRUSTEE'S DEED FROM J. PHILLIP JONES, SUBSTITUTE TRUSTEE DATED MARCH 30, 2007 AND RECORDED ON APRIL 2, 2007 IN INSTRUMENT NO. 20070402-0039309, SAID REGISTER'S OFFICE.