Prepared By & After Recording Return To:
Swartz & Brough, Inc.
2600 Via Fortuna, Suite 360
Austin, TX 78746

Davidson County DEEDWARR
Recvd: 02/27/09 15:20 2 pgs
Fees:13.00 Taxes:166.50

20090227-0017531

Recorder's Use Only

SPECIAL WARRANTY DEED

STATE OF TN §
§
COUNTY OF Davidson §

KNOW ALL MEN BY THESE PRESENTS: That Swartz & Brough, Inc., a Texas corporation (hereinafter referred to as "Grantor") being authorized to do business in the State of Tennessee, by virtue of and in pursuance of authority of its Board of Directors authorizing this conveyance by the undersigned officer, for and in its behalf, for and in consideration of the sum of Ten and No/100 Dollars, has granted, paid and to be paid as hereinafter set out, has this day bargained and sold and does hereby transfer and convey unto Paul E. Smith and spouse, Beverly S. Smith , ("Grantee") and to his, her or their heirs and assigns, certain real estate known as 4000 Fairview Drive, Nashville, TN 37218 located in Davidson County, Tennessee; and being more particularly described as follows:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NOS. 32 AND 33, BLOCK DD ON THE PLAN OF FAIRVIEW SUBDIVISION OF RECORD IN BOOK 1130, PAGE 54, REGISTERS OFFICE FOR SAID COUNTY TO WHICH PLAN REFERENCE IS HEREBY MADE FOR MORE COMPLETE AND ACCURATE LEGAL DESCRIPTION.

For source of title see Book _____ Page _____. instrument # 2009 0113 0003082.
Parcel ID - 0690 300 1000 - 0690 300 1100

The consideration above mentioned of $45,000.00 is paid and to be paid as follows: $4,500.00 cash in hand paid, the receipt of which is hereby acknowledged and the balance of $40,500.00 is evidenced by a promissory note, secured by a deed of trust conveying the above described real estate, and the balance of (if applicable) $0.00 is evidenced by a second lien promissory note, secured by a second lien deed of trust conveying the above described real estate.

TO HAVE AND TO HOLD said real estate, with all its appurtenances, to the said Grantee, their heirs and assigns forever.

Grantor hereby WARRANTS that (a) Grantor is seized of the premises herein conveyed in fee simple; (b) subject to reservations, exceptions, easements and restrictions of record, all existing public utilities and roadways, and all existing encroachments, ways and servitudes, howsoever created, determinable by a proper survey or by an inspection thereof, the premises herein conveyed are free from encumbrances; (c) Grantor will forever defend the here conveyed premises unto Grantee against claims of or by Grantor and all other persons lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise; (d) Grantor will execute such other and further assurances of the same as may be required.

IN TESTIMONY WHEREOF, the said Swartz & Brough, Inc., by its duly authorized agent hereunto subscribed its name.

Executed as of January 23, 2009.

Swartz & Brough, Inc.

By: _____
Leda Morris, Vice President

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

On this day, personally appeared before me, the undersigned, a Notary Public, Leda Morris, Vice President of Swartz & Brough, Inc., a Texas corporation, to me known to be the person(s) described in and who executed the foregoing instrument, and being authorized so to do, and executed the foregoing instrument for the purposes therein contained by signing the name of the corporation thereto by herself as such officer.

Executed on January 23, 2009.

LINDA R. BOOKER
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
06-16-2012

Linda R. Booker Notary Public, State of Texas
My commission expires: 6-16-12

Owner, party responsible for payment of taxes and mailing address:
Paul E. Smith and spouse, Beverly S. Smith
4000 Fairview Drive
Nashville, TN 37218

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $45,000.00.

Paul E Smith
Affiant

The Affiant Paul E. Smith personally appeared before me, the undersigned, a Notary Public, stated that the facts averred in the above affidavit are true to the best of the affiant's knowledge, information and belief. Subscribed and sworn to before me this January 23, 2009.

Notary Public

My Commission Expires: 1/17/10

TAYLOR REILY
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON
MY COMMISSION EXPIRES: JANUARY 17, 2010