BILL GARRETT, Davidson County
Trans:T20090020637 DEEDWARR
Recvd: 03/30/09 11:47 2 pgs
Fees:13.00 Taxes:499.13
20090330-0028255

BOX 50-B
PREPARED BY: RETURN TO:
BANKERS TITLE & ESCROW CORP.
3310 WEST END AVE.
NASHVILLE, TN 37203

SPECIAL
WARRANTY DEED

THIS INDENTURE, made and entered into this 20 day of March, 2009 by and between **SunTrust Mortgage, Inc.** party of the first part, and **William A. Smith, a married man** party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars ($10.00)**, cash in hand paid and other good and valuable considerations, the receipt of all 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 of the second part the following described real estate, situated and being in the County of Davidson, Tennessee:

Unit No. 249, Phase Two, Nashboro Village at Fairway Pointe, Tract 21, as shown on plat of record in Plat Book 4660, Page 159, and as shown on amendment to the restrictions of record in Instrument No. 20050222-0018814, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This being the same property conveyed to Grantor herein by Substitute Trustee's Deed of record at Instrument No. 20090120-0004510, in the Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtnances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns in fee simple forever.

And the said party of the first part does hereby covenant with the said part of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for Subdivision Restrictions, Building Lines and Easements and other matters of record, including at Plat Book 4660, Page 159; and Plat Book 4460, Pages 149-151; Declaration of Covenants, Conditions and Restrictions of record at Book 4827, Page 14; Book 5469, Page 840; Book 7751, Page 907; Book 11703, Page 520; and Instrument Nos. 20000316-0027171, 20010322-0027768; 20050222-0018813, and 20050222-0018814; Charter of record at Book 11703, Page 518; Lease of record at Book 10690, Page 327; and License to Use Fitness Center and Swimming Pools of record at Instrument No. 20020507-0056329, all in the Register's Office of Davidson County, Tennessee; year 2009 property taxes; and matters that would be revealed by a current survey;

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 party of the first part, but not further or otherwise.*

Seller makes no representations or warranties, of any kind or nature whatsoever, whether expressed, implied, implied by law, or otherwise, concerning the condition of the property.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.
WITNESS the signature of the said party of the first part the day and year first above written.

SunTrust Mortgage, Inc.
By:
Printed Name: JACKIE W. SALES
Title: V.P.

and as part of an IRC § 1031 tax deferred exchange

STATE OF Virginia
COUNTY OF City of Richmond

Before me, the undersigned Notary Public of the aforesaid County and State, personally appeared JACKIE W. BALLOS, (or proved to me on the basis of satisfactory evidence), who acknowledged himself/herself to be the V.P. of **SunTrust Mortgage, Inc.**, the within named bargainer, a corporation, and that he/she executed the foregoing instrument for the purposes therein contained as the free act and deed of **SunTrust Mortgage, Inc.**

WITNESS my hand, at office, this 18 day of March, 2009.

Notary Public

Commission Expiration: 7/31/2012

AUBREY S. DESPORTES JR.
Notary Public
Commonwealth of Virginia
327765
My Commission Expires Jul 31, 2012

PREPARED BY:
GRIFFIN, CLIFT, EVERTON & THORNTON, PLLC
6489 QUAIL HOLLOW SUITE 100
MEMPHIS, TN 38120

PROPERTY ADDRESS:
2278 Nashboro Blvd. #249
Nashville, TN 37217

PARCEL ID NUMBER: 135-12-0E-249.00-CO

PROPERTY OWNER AND ADDRESS:
WILLIAM A. SMITH
2278 Nashboro Blvd #249
Nashville, TN 37217

MAIL TAX BILLS TO:
SAME

State of TN
County of DAVIDSON

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is $134900.00 which amount is equal to or greater than the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn before me this 20 day of March, 2009.

Notary Public

PRISCILLA C. URBANEK
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TN

Commission expiration: May 8, 2012

This deed is prepared with information provided by First American Title Insurance CompanyF:\USERS\CHRIS\SunTrust\SWD,SunTrustMorgage,Inc.Nashboro,Davidson.wpd