SPECIAL WARRANTY DEED

G-FM-09-603

STATE OF Tennessee
COUNTY OF Davidson

THE ACTUAL CONSIDERSATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $208,500.00

Affiant

Subscribed and sworn to before me, this 23rd DAY OF September, 2009.

Notary Public

MY COMMISSION EXPIRES: 5/22/10
(AFFIX SEAL)

LAURA MITCHELL NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN. My Commission Expires MAY 22, 2010

THIS INSTRUMENT WAS PREPARED BY
Rudy Title and Escrow
2012 21st Ave South
Nashville, TN 37212

ADDRESS NEW OWNER(S) AS FOLLOWS: (NAME)	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
James Fitzsimmons	James Fitzsimmons	
6475 Temple Road (ADDRESS)	(NAME) 6475 Temple Road (ADDRESS)	
Franklin, TN 37069 (CITY) (STATE) (ZIP)	Franklin, TN 37069 (CITY) (STATE) (ZIP)	82-15-A-121.00 CO

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid hereinafter named Grantees, and other good and valuable considerations, the receipt of which is hereby acknowledged, we 5TH & MAIN RESIDENTIAL OWNER, INC., hereinafter called the Grantors, have bargained and sold, and by these presents do transfer and convey unto JAMES FITZSIMMONS, hereinafter called the Grantees, their heirs and assigns, that certain tract or parcel of land in DAVIDSON COUNTY, STATE OF TENNESSEE, described as follows, to wit:

Land in Davidson County, Tennessee, being Unit 603 and one parking space, 5TH AND MAIN Condominiums, as established under Master Deed of record in Instrument 20060630-0078751, amended at Instruments 20070104-0001656, 20070724-0048607, 20080411-0036927, 20080512-0048553 and 20081120-0114262 in the Register's Office, Davidson County, Tennessee, to which master deed reference is hereby made for a more particular description of said unit.

Being part of the same property conveyed to 5th and Main Residential Owner, Inc., a Tennessee non-profit corporation by Quitclaim Deed from Metropolitan Development and Housing Agency, a public body and a body corporate and politic, recorded on the 30th day of June, 2006 in Instrument No. 20060630-0078750, in the Register's Office of Davidson County, Tennessee.

John R. Cheadle, Jr., having been appointed Receiver for Wachovia Bank, National Association, pursuant to Order of the Chancery Court Docket No. 09-217-I and further by Order granting John R. Cheadle, Jr., authority to convey subject property under Chancery Court Docket No. 09-271-I.

This conveyance is subject to any and all existing easements and restrictions as shown of record including those of record in Book 13, page 279; Book 161, page 91; Book 8, page 173; Book 8, page 174; Book 14, page 101; Book 3930, page 324; Book 3953, page 115; Book 10078, page 364; Book 10169, page 1; Book 11625, page 241; Book 3969, page 927; Book 64, page 257; Instrument Numbers 20060626-0076032; 20060803-0094877; 20060630-0078751; 20070104-0001656; 20070424-0048607; 20080411-0036927; 20080512-0048553; 20050623-0072133; 200506230072134; 20060630-0078752; 20060928-0120284; 20050623-0072082, and 20081120-0114262 Register's Office for Davidson County, Tennessee.

unimproved ( )
This is improved (X) property, known as 2115 Yeaman Place, #603, Nashville, Tennessee 37206
(House Number) (Street) (P.O. Address) (City or Town) (Postal ZIP)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out. Grantor hereby covenants with Grantee that Grantor will forever defend Grantee against claims of all persons claiming by, through or under Grantor. No other covenants or warranties, express or implied, are given by this Special Warranty Deed. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

BILL GARRETT, Davidson County
Trans:T20090067285 DEEDWARR
Recvd: 10/02/09 14:18 2 pgs
Fees:13.00 Taxes:771.45
20091002-0091788

Witness my/our hand(s) this 23rd day of September, 2009.

5th & Main Residential Owner

BY: _____

John R. Cheadle, Jr., Receiver, for 5th & Main Residential Owner, as appointed under the Order of the Chancery Court Docket Number 09-217-I filed 2/05/2009

STATE OF Tennessee
COUNTY OF Davidson

On this the 22nd day of September, 2009, before me personally appeared John R. Cheadle, Jr., to me known (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself/herself to be the Receiver of 5th & Main Residential Owner, the within named bargainor, a corporation, and that he/she as such Receiver executed the foregoing instrument for the purpose therein contained.

Witness my hand and official seal, this the 22nd day of September, 2009.

_____
Notary Public

My Commission Expires: 7-24-10

NOTARY PUBLIC AT LARGE
MARY FRANCES RUDY
DAVIDSON COUNTY, TENN.

RETURN TO:
Rudy Title and Escrow
2012 21st Ave South
Nashville, TN 37212
Phone: (615)383-2903