RT9879 KP

Return To:

BILL GARRETT, Davidson County
Trans:T20090070148 DEEDWARR
Recvd: 10/15/09 10:01 3 pgs
Fees:18.00 Taxes:488.40
20091015-0095440

RESOURCE TITLE AGENCY, INC.
2630 Elm Hill Pike, Suite 350
Nashville TN 37214

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this September 8, 2009, by and between **BANK OF NEW YORK MELLON, AS TRUSTEE,** herein called Grantor, and **DAVID A. CAVANAUGH**, herein called Grantee, a single person

WITNESSETH: That for and In consideration of **ONE HUNDRED THIRTY TWO THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($132,000.00)**, 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. 20091015-0095438

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 ——— 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 2009, 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.

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

BANK OF NEW YORK MELLON, AS TRUSTEE BY ITS ATTORNEY IN FACT ONEWEST BANK, FSB

By _____

Title Terri Hunter
Vice President
HLS-REO

STATE OF Texas
COUNTY OF Travis

This instrument was prepared by: IN REM REO SERVICES, INC. BY ITS ATTORNEYS BOIKO AND OSIMANI, P.C., RONALD S. OSIMANI 3447 N. Lincoln Ave., Chicago, Illinois 60657; Phone: 773-296-6100, Fax: 773-296-6166

Before me, the undersigned notary public of the State and County mentioned, personally appeared Terri Hunter, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the VP RAO of ONEWEST BANK, FSB AS ATTORNEY IN FACT FOR BANK OF NEW YORK MELLON, AS TRUSTEE the within named bargainor, a corporation, and that as such Terri Hunter, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as VP RAO. **Power of Attorney being recorded herewith.**

WITNESS my hand and notarial seal at office this 8 day of September, 2009.

My commission expires:

JOSIE SALAZAR
Notary Public
STATE OF TEXAS
My Comm Exp Aug 24, 2010

Notary Public

Witness my hand, at office: 2900 ESPERANZA CROSSING, FLOOR 3, AUSTIN, TX 78758

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 $ 132,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Witness my hand, at office: 9-8-09

NOTARY PUBLIC

My Commission Expires:
Property Address: **2829 WINDCREST TRL. ANTIOCH, TN 37013**
Owners' Names: **DAVID A. CAVANAUGH**
Owner's Address: **2829 WINDCREST TRL. ANTIOCH, TN 37013**

JOSIE SALAZAR
Notary Public
STATE OF TEXAS
My Comm Exp Aug 24, 2010

Map and Parcel# **150-16-0-A-068.00CO**
Mail Tax bill to: SAME AS NEW OWNER

See Attached

EXHIBIT A

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

LEGAL DESCRIPTION

This instrument was prepared by: **IN REM REO SERVICES, INC. BY ITS ATTORNEYS BOIKO AND OSIMANI, P.C., RONALD S. OSIMANI 3447 N. Lincoln Ave., Chicago, Illinois 60657; Phone: 773-296-6100, Fax: 773-296-6166**

Escrow File No.: **RT9879**

EXHIBIT "A"

Real estate located in Davidson County, Tennessee, described as follows:

Being Lot No. 51 on the Plan of Windhaven Shores, Section Two, of record in Instrument Number 20031210-0176853, Register's Office for said County, to which reference is made for a more complete description.

Being the same property conveyed to Countrywide Bank, N.A. by Substitute Trustee's Deed from Shapiro & Kirsch, LLP, as Substitute Trustee, dated April 2, 2009 and recorded April 29, 2009 of record in Instrument No. 20090429-0038884, Register's Office for Davidson County, Tennessee.

Being further conveyed to Bank of New York Mellon, as Trustee by Quitclaim Deed from Countrywide Bank, N.A., dated June 30, 2009 and being recorded simultaneously herewith in Instrument Number 20091015-0095438 **, said Register's Office.**