BILL GARRETT, Davidson County
Trans:T20090070474 DEEDWARR
Recvd: 10/16/09 10:07 2 pgs
Fees:13.00 Taxes:90.74
20091016-0095875

CASH DEED FOR TENNESSEE

FHA Case No. 483-365429

This instrument was prepared by the **Department of Housing and Urban Development**
Return to: Fearnley & Califf - Nashville
565 Marriott Drive - Ste 850
Nashville, TN 37214

This Indenture, made and entered into this **14th day of October, 2009**, by and between Shaun Donovan, The Secretary of Housing and Urban Development, of Washington, D.C., party of the first part, and **Swartz & Brough, Inc.** , their heirs and assigns, party(ies) of the second part,

Witnesseth: That for and in consideration of the sum of Ten Dollars ($10.00), the receipt 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(ies) of the second part, the following described real estate situate, lying and being in the **County Davidson**, State of Tennessee, to wit:

The following described real estate situate, lying and being in the county of Davidson, State of Tennessee, to wit: Being a tract of land located in the 13th Civil District, known as 3707 John Mallette Drive (Formerly Known As 3707 Hydes Ferry Pike), containing .29 acres, more or less, according to a survey made by Ray G. Cole, Registered Land Surveyor, License Number 924, dated April 7, 1981 and described as follows: Beginning at an iron pin in the southerly margin of Hydes Ferry Pike, said pin being in the Northeastern corner of said Tract; thence South 19 degrees 02 minutes West 173.93 feet to an iron pin; thence North 16 degrees 14 minutes East 167.81 feet to an iron pin in the Southerly margin of Hydes Ferry Pike; thence along said Hydes Ferry Pike South 72 degrees 57 minutes East 80 feet to the point of beginning, containing 0.29 (prior deed erroneously states 3.29) acres more or less.

Property Address:	3707 John Mallette Dr Nashville, TN 37218
Owner's Name:	Swartz & Brough, Inc.
Owner's Address:	2600 Via Fortuna #360 Austin, TX 78746
Mail Tax Bill to:	Owner at Owner's Address
Parcel No.:	069 16 0 094.00

THIS DEED IS NOT TO BE IN EFFECT UNTIL: October 14, 2009

Being the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531), by deed dated **May 13, 2009**, and recorded at **Instrument No. 20090622-0057580** in the Register's Office of Davidson County, Tennessee.

To Have and to Hold the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party(ies) of the second part, their heirs and assigns in fee simple forever.

Said Conveyance is made subject to all covenants, easements, restrictions, reservations, conditions and rights appearing of record against the above described property; also **Subject** to any state of facts which an accurate survey of said property would show.

And the Said party of the first part does hereby covenant with the said party(ies) of the second part that he is lawfully seized in fee of the aforedescribed real estate; that he/she has a good right to sell and convey the same; that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons, claiming same, by, through or under him but no further or otherwise.

In Witness Whereof the undersigned has set his/her hand and seal as a principal and/or officer of Pyramid Real Estate Services, LLC, Management and Marketing contractor of the U. S. Department of Housing and Urban Development, for and on behalf of the Secretary of Housing and Urban Development, under the redelegation of authority published at 70 Fed. Reg. 43, 171 (July 26, 2005).

Signed, sealed and delivered in the presence of:

The Secretary of Housing and Urban Development of Washington, D.C., and/or his/her successors and/or assigns

By: Shelley Allen
Authorized Signatory
Nashville, Tennessee

State of Tennessee
County of Davidson

On the 9th day of OCT, 2009, before me the undersigned Notary Public of the State and County aforesaid, appeared SHELLEY ALLEN with whom I am personally acquainted, or proved to me to be on the basis of satisfactory proof, and who, upon oath , acknowledged himself/herself to be a authorized signatory of Pyramid Real Estate Services, LLC said company being an authorized signatory for the Secretary of Housing and Urban Development, the within named bargainor, and that he/she as such authorized signatory being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as an authorized signatory.

My Commission Expires: 11/7/12

Notary Public

WILLIAM D. JOHNSON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

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 **$24,525.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 14 day of October 2009.

My Commission Expires:
10/23/2012

(Seal)
Notary Public

J. KAYE CLARK STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY