S&K #: 09-018367

BILL GARRETT, Davidson County
Trans:T20090071901 DEEDWARR
Recvd: 10/22/09 12:13 2 pgs
Fees:13.00 Taxes:312.65
20091022-0097712

SPECIAL WARRANTY DEED

THIS DEED, between The Bank of New York Mellon as Successor Trustee under NovaStar Mortgage Funding Trust, Series 2004-4 organized and existing under the laws of the United States of America, hereinafter called Grantor, and George W. Kimbro Jr. hereafter called Grantee.

WITNESSETH, That said Grantor for and in consideration of the sum of ten dollars ($10.00) and other valuable consideration, receipt of which is hereby acknowledged, has bargained and sold, and by these presents, does transfer and convey unto the said Grantee, and unto its successors and assigns, certain property described as follows:

Described property located in Davidson County, Tennessee, to wit:

The following described property located in Davidson County, Tennessee, to-wit:

Lot No. 414, on the Plan of Highland of Tulip Grove, Section 3, of record in Plat Book 4675, Page 140, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate description.

This legal description is identical with that in Deed of Trust recorded in Instrument# 20040902-0106505 in the Register's Office of Davidson County, Tennessee.

For prior title, see Deed recorded in Instrument# 20090713-0065400 in said Register's Office.

TO HAVE AND TO HOLD the said parcel of land, with the appurtenances, estate, title, and interest thereto belonging, to the said Grantee and its successors and assigns, forever.

Subject to any unpaid taxes, easements and restrictions.

Grantor does further covenant and bind Grantor's successors, to warrant and forever defend the title to the said Grantee and its successors and assigns, against the lawful claims of all persons by, through or under it, but not further or otherwise.

The Bank of New York Mellon as Successor Trustee under NovaStar Mortgage Funding Trust, Series 2004-4

Title: Odeta Kapatayes, AVP

By: Saxon Mortgage Services, Inc., its attorney in fact

STATE OF Colorado
COUNTY OF Jefferson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Odeta Kapatayes** AVP of Saxon Mortgage Services, Inc., as Attorney-in-Fact for The Bank of New York Mellon as Successor Trustee under NovaStar Mortgage Funding Trust, Series 2004-4 with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence). and who acknowledged that he/she/they executed the within instrument for the purposes therein contained and who further acknowledged that he/she/they is the Attorney in fact of the maker, or a constituent of the maker, and is authorized by the maker, or by its constituent, the constituent being authorized by the maker to execute this instrument on behalf of the maker.

WITNESS my hand and Official Seal at Office this 22nd day of September, 2009.

GLORIA PATTON
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires June 17, 2013

Gloria Patton
NOTARY PUBLIC

My Commission Expires: _____

STATE OF Tennessee
COUNTY OF Davidson

I 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 $84,500.00 which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Tammy Mellon
Affiant

Subscribed and sworn to before me this the 21st day of Oct., 2009.

Karen B. Heavener
Notary Public

KAREN B. HEAVENER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My commission expires: 11/7/11

Property Address: 620 Mercer Drive, Hermitage, TN 37076

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
George W. Kimbro Jr.
620 Mercer Dr.
Hermitage, TN 37076

Map & Parcel 07511004800

THIS INSTRUMENT PREPARED BY:
Law Office of Shapiro & Kirsch, LLP
6055 Primacy Parkway
Suite 410
Memphis, TN 38119