K 3401



AMENDMENT TO TRUST AGREEMENT

WHEREAS, on December 30, 1961, Kathryn Cotten Miller transferred a four-fifths (4/5) undivided interest in certain real estate in Davidson County, Tennessee, to First American National Bank of Nashville as Trustee for Dr. John Maurice Miller and wife, Ann Riley Miller; Mrs. Jean Ann McNally and husband, Michael Lee McNally; Mrs. Berenice Elizabeth Denton and husband, James Milton Denton III; and James Haley Miller, and also transferred to said Trustee a four-fifths (4/5) interest in a certain Lease Agreement dated September 3, 1958, all of which is more particularly set out and described in said Trust Agreement which is of record in Book 3316, page 152, Register's Office of Davidson County, Tennessee, to which Trust Agreement reference is here made and,

WHEREAS, since the execution of said Trust Agreement the said Kathryn Cotten Miller, Donor, by agreement with the Tenant, has made capital improvements on the real estate described in said Trust Agreement (said improvements having been made in accordance with plans and specifications entitled "Office Addition for Miller Clinic, Nashville, Tennessee" prepared by Louis L. Waller, Architect), these capital improvements costing approximately Seventy Thousand Dollars ($70,000.00) and,

WHEREAS, as the result of these capital improvements the Tenant occupying said premises, that is Miller Clinic Association (an association of persons licensed to practice a profession, organized under the provisions of Chapter 181, Public Acts of 1961; successor to Miller Clinic, a Partnership), has agreed to an amendment to the Lease covering the real estate in question by the terms of which said Tenant will pay an increased rental (four-fifths (4/5) of which increased rental will inure to the benefit of the aforesaid trust by the terms of said Lease Amendment) and,

WHEREAS, it is provided in Item VII of the Trust Agreement dated December 30, 1961, that Kathryn Cotten Miller, the Donor, shall have the right to contribute other assets to the trust providing this privilege may only be exercised by the Donor on or before June 25, 1962.

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