PREPARED BY (AND RETURN TO):

WILKINS & IVEY
Attorneys At Law
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Nashville, Tennessee 37215-0157
Ph. (615) 298-3312 - Fax. 292-8746
E-mail: wilkins.ivey@home.com

W & I Ref: (gj) Title No: 41236
Dav. Co. File: Box 8

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99OCT-4 PM 1:07
REGISTER
DAVIDSON COUNTY, TN.

FOR CROSS REFERENCE
00047425

ADDRESS NEW OWNER:	RESPONSIBLE FOR TAX PAYMENT:
Margaret E. Wilkes 288 Cana Circle Nashville, TN 37205	Mortgage South Corporation 104 Woodmont Blvd., Suite 402 Nashville, TN 37205

TAX MAP-PARCEL NUMBERS: 129-11-A-288

BOOK 11687 PAGE 574

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$ 125000.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Thelma Wehmer, unmarried,** hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Margaret E. Wilkes, unmarried,** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

A Condominium Apartment in Davidson County, Tennessee being Unit No. 118-R of the Cloister at St. Henry's, Phase 1-D a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on Exhibit "B" to the Master Deed of record in Book 6933, page 927, Register's Office for said County, to which source reference is hereby made for more complete details of description, together with the said Apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

BEING the same property conveyed to Thelma Wehmer, a widow, by deed from St. Henry's Property Development, Inc., of record in Book 7397, page 426, Register's Office for Davidson County, Tennessee.

Description Reference: Described from information contained in recorded condominium documents.

This conveyance is subject to: Taxes for 2000, and subsequent years; The Plan, as shown in Exhibit "B" to the Master Deed and By-Laws, with Owner's Certificate, of record in Plat Book 6933, Page 927, said Register's Office, which Plan shows minimum building set back lines and easements and to which Plan reference is hereby made for a more complete description; The provisions of the condominium Master Deed of record in Book 6933, page 927, as amended in Book 7404, page 766, Book 7590, page 273, and Book 9269, page 285, said Register's Office, which submits said property to a Horizontal Property Regime pursuant to the provisions of the Tennessee Horizontal Property Act and sets forth restrictions, assessments, liens and other matters; Terms and conditions of Ground Lease by and between James D. Niedergeses, Bishop of the Diocese of Nashville and St. Henry's Property Development, Inc., dated July 15, 1986, of record in Book 6922, page 282, said Register's Office; Terms and conditions of Nondisturbance Agreement by and between James D. Niedergeses, Bishop of the Diocese of Nashville and St. Henry's Property Development, Inc., dated July 15, 1986, of record in Book 7306, page 289, said Register's Office; Terms and conditions of Storm Water Detention Agreement between St. Henry's Property Development, Inc., and the Metropolitan Government of Nashville and Davidson County of record in Book 6862, page 384, said Register's Office.

GRANTEE understands that Grantor is not conveying the real estate in fee simple and this conveyance is both a sublease by Grantor to Grantee of the above described condominium apartment for the full term of Grantors Ground Lease and any extension thereof, and a conveyance by Grantor of all right, title and interest of the Grantor in the described condominium apartment. By acceptance of this conveyance, Grantee agrees to assume jointly with The Cloister Owner's Association all obligations of the Grantor under Grantors Ground Lease, including payment of all real estate taxes assessed against both land and buildings. The attached copy of a resolution of the Board of Directors of St. Henry Property Development, Inc., is incorporated herein as Exhibit "A" to this instrument.

This is improved property, known as: 288 Cana Circle, Nashville, TN 37205

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 30th day of September, 1999.

Thelma Wehmer

Thelma Wehmer

State of Tennessee
County of Davidson

On this 30th day of September, 1999, before me the undersigned authority, personally appeared , Thelma Wehmer to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____

PERCY WILKINS JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

Notary Public

State of Tennessee
County of Davidson

A F F I D A V I T

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 125000.00

Margaret E. Wilkes

Affiant

Sworn and subscribed before me on the 30th day of September, 1999.

My Commission Expires: _____

PERCY WILKINS JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-200

Notary Public

EXHIBIT "A"

BOOK 11687 PAGE 576

RESOLUTION

WHEREAS, the Master Deeds for The Cloister at St. Henry provide at Section 18(d) circumstances under which a unit owner may sell his unit to the developer, St. Henry's Property Development, Inc. ("S.H.P.D.") for 80% of appraised fair market value; and,

WHEREAS, a question has arisen regarding whether or not S.H.P.D. may on the death of a unit owner compel the succeeding owners to sell to S.H.P.D. at 80% of appraised fair market value; and,

WHEREAS, S.H.P.D. has never intended to compel any owner to sell to it at 80% of appraised fair market value; and,

WHEREAS, S.H.P.D. understands that Section 18(d) does not grant it any right to compel such a sale at the death of an owner or otherwise:

NOW, THEREFORE, be it:

RESOLVED, that for the purpose of clarifying interpretation of the Master Deeds' Section 18(d) and with express understanding that prospective unit purchasers of The Cloister at St. Henry will rely on the statements in this resolution, S.H.P.D. declares that it will not under any circumstances compel any unit owner to sell a unit to S.H.P.D. at 80% of appraised fair market value, but will purchase units at 80% of appraised fair market value upon request of a unit owner provided such unit owner has fully complied with all pre-requisites to the obligations of S.H.P.D. as provided in Section 18(d).

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FOR RECORD
RECORDED
RECEIVED

Resolution unanimously adopted by Board of Trustees for St. Henry Property Development, Inc. at its regular monthly meeting on Wednesday, March 6, 1985.

Karol F. Grace
Karol F. Grace
Board Member and Secretary

0/0% OIOL OSOHECK 477.50

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 11687 PAGE 577

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED	CFEE - COMPUTER FEE	PRFEE - PROBATE FEE

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RECEIVED FOR REFERENCE

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REGISTER
DAVIDSON COUNTY, TN.

CAMT	
	125000.00
CON TX	462.50
PRFEE	1.00
WDEED	12.00
CFEE	2.00
TOTAL	477.50
CHECK	477.50

10/04/99 01 13:11 0001 5442

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1523331