Instr:200003200028271 Page: 1 OF 2
REC'D FOR REC 03/20/2000 2:59:56PM
RECORD FEE: $11.00
M. TAX: $0.00 T. TAX: $562.40

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS **$152,000.00.**

Donn M Smith
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THE UNDERSIGNED, THIS THE.

Notary Public

MY COMMISSION EXPIRES: July 26, 2003.
(AFFIX SEAL)

My Commission Expires JULY 26, 2003

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

THIS INSTRUMENT WAS PREPARED BY:
Michael J. Philbin, P.C., 2021 Richard Jones Road, Suite 220, Nashville, TN 37215

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Donn M. Smith	Donn M. Smith	**129-11-A-259CO**
(NAME)	(NAME)	
259 Cana Circle	259 Cana Circle	**09DZ73097**
(ADDRESS)	(ADDRESS)	
Nashville, TN 37205	Nashville, TN 37205	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THE UNDERSIGNED, **DOSWELL P. BROWN, III, ELLEN BROWN RUST, WILLIAM DANFORTH BROWN AND DEBORAH GRAY EDSON** AS THE SOLE SURVIVING DEVISEES UNDER THE LAST WILL AND TESTAMENT OF ANNETTE GRAY BROWN, DECEASED, HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED, SOLD AND LEASED, AND BY THESE PRESENTS DO TRANSFER, CONVEY AND LEASE UNTO **DONN M. SMITH**, HEREINAFTER CALLED THE GRANTEE, HIS HEIRS AND ASSIGNS, A CERTAIN CONDOMINIUM APARTMENT IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

A certain condominium apartment in Davidson County, Tennessee, being Unit No. 259, created under Title 66, Chapter 27, Section 101, et seq., as amended, Tennessee Code Annotated, and as established by the Master Deed for The Cloister at St. Henry, Phase IC, of record in Book 6675, page 173, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the common elements appurtenant to said unit, as set forth in the Master Deed. Reference is hereby made to the Plat for The Cloister at St. Henry, Phase IC, attached as Exhibit "B" to said Master Deed for proper identification.

Being the same property conveyed to Annetta Gray Brown by sublease and conveyance of condominium apartment from Catherine C. O'Hara, an unmarried person, of record in Book 9375, Page 479, said Register's Office, the said Annetta Gray Brown having since died leaving a last Will and Testament of record in Will Book 231, Page 596, Probate Court Clerk's Office for Davidson County, Tennessee which Will pursuant to Article VII devised the aforesaid property in equal shares to her four children, Doswell P. Brown III, Ellen Brown Rust, William Danforth Brown and Deborah Gray Edson who were the only surviving devisees under said Will and the named grantors herein.

Doswell P. Brown III, in his capacity as executor of the estate of Annetta Gray Brown has also joined in this conveyance as an additional grantor for the purpose of conveying any right, title or interest he has in such capacity.

THIS SUBLEASE AND CONVEYANCE is subject to the following:

1. Provisions of Tennessee Code Annotated, Section 64-27-101, et seq.
2. Conditions, restrictions, options, encumbrances, liens, assessments, easements and undertakings contained in the Master Deed for The Cloister at St. Henry, Phase IC, of record in Book 6675, Page 173, Register's Office for Davidson County, Tennessee, and the Bylaws for The Cloister at St. Henry, of record in Book 6042, Page 650, said Register's Office.
3. All matters as shown on the Plan of First Revision The Cloister at St. Henry, of record in Book 5200, Page 676, in said Register's Office.
4. Sanitary Sewer and/or Storm Easement, of record in Book 5200, Page 676, Register's Office for Davidson County, Tennessee.
5. Storm Water Detention Agreement, by and between St. Henry's Property Development, Inc., and the Metropolitan Government of Nashville and Davidson County, of record in Book 6824, Page 870, said Register's Office.
6. Subject to terms and conditions of Ground Lease by and between James D. Niedergeses, Bishop of the Diocese of Nashville, and St. Henry's Development, Inc., dated August 31, 1982, of record in Book 6596, Page 608, Register's Office for Davidson County, Tennessee.
7. Real estate taxes for 2000.

THIS IS IMPROVED PROPERTY known as **259 Cana Circle, Nashville, Tennessee 37205.**

TO HAVE AND TO HOLD the said condominium apartment, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, his heirs and assigns, for the term of the Ground Lease, of record in Book 6596, Page 608, Register's Office for Davidson County, Tennessee, and any extension thereof, but not further.

GRANTEE UNDERSTANDS that Grantors are not conveying the real estate in fee simple and this conveyance is both a sublease by Grantors to Grantee of the above described condominium apartment for the full term of the Ground Lease and any extension thereof, and a conveyance by Grantors of all right, title and interest of the Grantors 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 Grantors under the Ground Lease, including payment of all real estate taxes assessed against both land and buildings. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hands this **17th day of March, 2000**.

Doswell P. Brown, III

Deborah Gray Edson
By: Doswell P. Brown, III, her Attorney-In-Fact

Ellen Brown Rust

William Danforth Brown

STATE OF **TENNESSEE**

COUNTY OF **DAVIDSON**

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Doswell P. Brown III, Ellen Brown Rust and William Danforth Brown, the bargainors, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 17th day of March, 2000.

Commission expires: July 26, 2003

SHANNON PHILBIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Shannon Philbin Notary Public

STATE OF **TENNESSEE**

COUNTY OF **DAVIDSON**

My Commission Expires JULY 26, 2003

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Doswell P. Brown, III, with whom I am personally acquainted, and who, upon his oath, acknowledged himself to be the Attorney-In-Fact for the within named Deborah Gray Edson and being authorized to act on behalf of said person, he executed the foregoing instrument as her free act and for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 17th day of March, 2000.

Commission expires: July 26, 2003

SHANNON PHILBIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Shannon Philbin Notary Public

My Commission Expires JULY 26, 2003