#17227
File Box 9-B
First Title and Escrow Company, Inc.

SUBLEASE AND CONVEYANCE
OF
CONDOMINIUM APARTMENT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS **$149,000.00**

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THE UNDERSIGNED, THIS THE 12th day of May, 2000.

Notary Public

MY COMMISSION EXPIRES: 11/29/03

(AFFIX SEAL)

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
Keith B. Pitts	**Benjamin A. Pitts**	**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, **DONN M. SMITH,***HEREINAFTER CALLED THE GRANTOR, HAS BARGAINED, SOLD AND LEASED, AND BY THESE PRESENTS DOES TRANSFER, CONVEY AND LEASE UNTO **KEITH B. PITTS, MARRIED AND BENJAMIN A. PITTS, UNMARRIED,** HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN CONDOMINIUM APARTMENT IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT: *unmarried

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 Donn M. Smith by deed from Doswell P. Brown, III, Ellen Brown Rust, William Danforth Brown and Deborah Gray Edson recorded as Instrument No. 200003200028271 Register's Office for Davidson County, Tennessee.

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 6250, Page 979, in said Register's Office.
4. Sanitary Sewer and/or Storm Easement, of record in Book 6250, Page 979, 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**.

Instr:200005170049531 Page: 1 OF 2
REC'D FOR REC 05/17/2000 10:23:42AM
RECORD FEE: $11.00
M. TAX: $0.00 T. TAX: $551.30

TO HAVE AND TO HOLD the said condominium apartment, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their 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.

GRANTEES UNDERSTAND that Grantor is not conveying the real estate in fee simple and this conveyance is both a sublease by Grantor to Grantees of the above described condominium apartment for the full term of the 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, Grantees agree to assume jointly with The Cloister Owner's Association all obligations of the Grantor 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 my hand this **12th day of May, 2000**.

Donn M. Smith

Donn M. Smith

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 Donn M. Smith, the bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 12th day of May, 2000.

Commission expires: July 26, 2003

SHANNON PHILBIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires **JULY 26, 2003**

Shannon Philbin

Shannon Philbin Notary Public